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## Federal Information Report

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ATTN: Beth

Report Printed: AUG 12 2010  
In Date

## BUSINESS SUMMARY

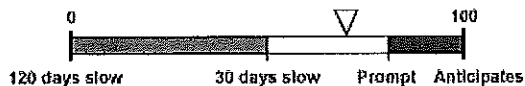
## COMMERCIAL METALS COMPANY

CMC DALLAS TRADING  
CMC COMETALS  
CMC COMMONWEALTH METALS  
CMC RECYCLING6565 N Macarthur Blvd  
Irving, TX 75039This is a **headquarters** location.  
Branch(es) or division(s) exist.**Mailing address:** PO Box 1046  
Dallas, TX 75221**Web site:** [www.cmc.com](http://www.cmc.com)**Telephone:** 214 689-4300**Fax:** 214 689-5804**Chief executive:** MURRAY R MCCLEAN, CHB-  
PRES-CEO+**Stock symbol:** CMC**Year started:** 1915**Employs:** 15,164 (417 here)**Financial statement date:** MAY 31 2010**Sales F:** \$6,793,396,000**Net worth:** \$1,529,693,000**History:** CLEAR**Financing:** SECURED**Financial condition:** FAIR**D-U-N-S Number:** 00-792-5845**SIC:** 3312  
5051  
3441  
3351  
5052  
5093**Line of business:** Blast furnace-steel work**D&B Rating:** 5A3**Financial strength:** 5A is \$50 million and over.**Composite credit appraisal:** 3 is fair.

## D&amp;B PAYDEX®:

**D&B PAYDEX: 70**

When weighted by dollar amount, payments to suppliers average 15 days beyond terms.



Based on up to 24 months of trade.

## GOVERNMENT ACTIVITY SUMMARY

## Identification summary

Public Company: YES  
Congressional District: 24, 32  
Importer/Exporter: N/A

**Activity summary**

Borrower (Dir/Guar):	NO
Administrative debt:	YES
Contractor:	YES
Grantee:	NO
Party excluded from federal program(s):	NO

**Possible candidate for socio-economic program consideration**

Labor surplus area:	YES (2010)
Small Business:	N/A
Woman-owned:	N/A
Minority-owned:	N/A
8(A) firm:	N/A

**Federal Employer Identification Numbers**

Dun & Bradstreet, Inc. has compiled the following FEIN numbers for the business name in this report from the sources below. Dun & Bradstreet, Inc. provides this information "AS IS" with no guarantee as to its accuracy.

FEIN #	Business Name	Address	Source	Date
75-0725338	COMMERCIAL METALS CO	7800 STEMMONS FREEWAY 10TH FLO, DALLAS, TX, 75247	DEPARTMENT OF TREASURY - HEALTH	NOV 01 2001
75-0725338	COMMERCIAL METALS COMPANY	7800 STEMMONS FWY, DALLAS, TX, 75247	CALIFORNIA UCC FILINGS	JUN 29 2002
75-0725338	COMMERCIAL METALS COMPANY	7800 STEMMONS FWY, DALLAS, TX, 72547	KANSAS UCC FILINGS	OCT 05 2002
75-0725338	COMMERCIAL METALS COMPANY	6565 N. MACARTHUR BLVD., STE., IRVING, TX, 75039	LOUISIANA BUSINESS REGISTRATIONS	OCT 09 2003
75-0725338	COMMERCIAL METALS COMPANY	7800 STEMMONS FREEWAY, DALLAS, TX, 75221	FLORIDA BUSINESS REGISTRATIONS	FEB 14 1997
75-0725338	COMMERCIAL METALS COMPANY	6565 N MACARTHUR BLVD SUITE 80, IRVING, TX, 75039	TEXAS BUSINESS REGISTRATIONS	APR 02 2010
75-0725338	COMMERCIAL METALS CO	7800 STEMMONS FREEWAY, DALLAS, TX, 75247	DEPARTMENT OF TREASURY	DEC 01 2000
75-0725338	COMMERCIAL METALS CO	7800 STEMMONS FREEWAY 10TH FLO, DALLAS, TX, 75247	DEPARTMENT OF TREASURY	DEC 01 2000
75-0725338	COMMERCIAL METALS CO.	6565 N MACARTHUR BLVD STE 800, IRVING, TX, 75039	DEPARTMENT OF LABOR	DEC 31 2003
75-0725338	COMMERCIAL METALS COMPANY	6565 N MACARTHUR BLVD, IRVING, TX, 75039	SECURITIES AND EXCHANGE COMM- 10K FILING	JAN 30 2009
75-0725338	COMMERCIAL METALS COMPANY	6565 NORTH MACARTHUR BLVD, IRVING, TX, 75039	SECURITIES AND EXCHANGE COMM- 10K FILING	JAN 18 2008
74-2303077	COMMERCIAL METALS - AUSTIN INC.	PO BOX 1046, DALLAS, TX, 75221	TEXAS BUSINESS REGISTRATIONS	APR 02 2010
75-1167683	ZENITH FINANCE AND CONSTRUCTION COMPANY	6565 N MACARTHUR BLVD SUITE 80, IRVING, TX, 75039	TEXAS BUSINESS REGISTRATIONS	MAR 06 2009
75-1096588	COMETALS FAR EAST, INC.	6565 N MACARTHUR BLVD SUITE 80, IRVING, TX, 75039	TEXAS BUSINESS REGISTRATIONS	APR 02 2010
76-0411791	CMC CONCRETE ACCESSORIES, INC.	PO BOX 1046, DALLAS, TX, 75221	TEXAS BUSINESS REGISTRATIONS	APR 02 2010

The details provided in the Government Activity section are as reported to Dun & Bradstreet by the federal government and other sources.

**SPECIAL EVENTS**

06/23/2010

**EARNINGS UPDATE:** According to published reports, comparative operating results for the 9 months ended May 31, 2010: Sales of \$4,489,855,000, Net Income of (\$213,067,000); compared to Sales of \$4,997,927,000, Net Income of \$13,135,000 for the comparable period in the prior year.

04/13/2010

**ANNOUNCED WORK FORCE CHANGES:** According to published reports, Commercial Metals Co., announced the possible layoff of 112 manufacturing employees at 14099 S.E. 44th St. in Starke. The notice was posted April 1, and the layoff was indicated to take place June 4.

04/05/2010

**OTHER SPECIAL EVENT: RATING CHANGE:** In view of the relatively sizeable net loss reported for the six months ended Feb 28 2010, its impact on shareholders' equity, the decline in revenues, and other factors, the company's rating has been adjusted.

03/31/2010

**EARNINGS UPDATE:** According to published reports, comparative operating results for the 6 months ended February 28, 2010: Sales of \$2,724,701,000, Net Income of (\$204,604,000); compared to Sales of \$3,739,690,000, Net Income of \$26,582,000 for the comparable period in the prior year.

12/22/2009

**EARNINGS UPDATE:** According to published reports, comparative operating results for the 3 months ended November 30, 2009: Sales of \$1,446,858,000, Net Income of (\$31,223,000); compared to Sales of \$2,372,830,000, Net Income of \$62,052,000 for the comparable period in the prior year.

11/04/2009

**EARNINGS UPDATE:** According to published reports, comparative operating results for the year ended August 31, 2009: Sales of \$6,793,396,000, Net Income of \$20,802,000; compared to Sales of \$10,427,378,000, Net Income of \$231,966,000 for the comparable period in the prior year.

## SUMMARY ANALYSIS

### D&B Rating:

**5A3**

### Financial strength:

5A indicates \$50 million and over.

### Composite credit appraisal:

3 is fair.

The Rating was changed on April 5, 2010 because of changes in financial information, payment information, or other information about this business. This credit rating was assigned because of D&B's assessment of the company's financial ratios and its cash flow. For more information, see the D&B Rating Key.

Below is an overview of the company's rating history since 01/01/91:

D&B Rating	Date Applied
5A3	04/05/10
5A2	01/10/05
5A1	01/01/91

The Summary Analysis section reflects information in D&B's file as of August 9, 2010.

## CUSTOMER SERVICE

If you have questions about this report, please call our Government Services Office at 1.800.424.2495 or our Customer Resource Center at 1.800.234.3867 from anywhere within the U.S.

Outside the U.S. or for more specific questions, please contact the D&B Government Services Office at 703.276.7856 or by e-mail at [govt@dnb.com](mailto:govt@dnb.com).

## HISTORY

The following information was reported **06/04/2010**:

### Officer(s):

MURRAY R MCCLEAN, CHB-PRES-CEO+  
MALINDA G PASSMORE, V PRES-CIO  
LOUIS A FEDERLE, TREAS  
WILLIAM B LARSON, SR V PRES-CFO

HANNS ZOELLNER, PRES CMC INTERNATIONAL

**DIRECTOR(S):** The officers identified by (+) and Harold L Adams, Anthony A Massaro, Robert D Neary, Moses Feldman, Ralph E Loewenberg, Robert L Guido, Dorothy G Owen, J David Smith and Robert J Womack.

Incorporated in the state of Delaware on August 29, 1946.

Business started 1915.

The company's started its operation in the year 1915.

The company's common stock is traded on the New York Stock Exchange under the symbol "CMC". As of October 2, 2008, there were 4,233 shareholders of record. As of November 24, 2008, the only shareholder identified by the company as beneficially owning 5% or more of the outstanding shares was TPG-Axon Capital Management LP (9.4%). As of the same date, officers and directors as a group beneficially owned 5.01% of the outstanding shares.

#### **EVENTS:**

On June 4, 2010, sources stated that Commercial Metals Company, Irving, TX, announced the layoff of 112 manufacturing employees at 14099 S.E. 44th St. in Starke, Florida on June 4, 2010 as per the previous notice posted on April 1, 2010.

On September 9, 2008, the company has acquired RPS Cable Corporation, Claremont, CA, on August 29, 2008. After this acquisition, RPS Cable Corporation will become a wholly owned subsidiary of the company. The employees and management were retained at this time. Financial terms are not disclosed.

On September 9, 2008, the company has acquired Regional Steel Corporation, Claremont, CA, on August 29, 2008. After this acquisition, Regional Steel Corporation will become a wholly owned subsidiary of the company. The employees and management were retained at this time. Financial terms are not disclosed.

On September 8, 2008, the company has acquired Reinforcing, Post-Tensioning Services, Inc., Claremont, CA, on August 29, 2008. After this acquisition, Reinforcing, Post-Tensioning Services, Inc. will operate as a subsidiary of the company. Financial terms were not disclosed.

On August 18, 2008, the company announced that it has completed the acquisition of substantially all the operating assets of ABC Coating Co., Inc. Of Colorado, Brighton, CO, on July 1, 2008. After this acquisition, ABC Coating Co., Inc., Of Colorado will operate as a subsidiary of the company. Financial terms were not disclosed.

On July 16, 2008, the company announced that it has completed the acquisition of substantially all the operating assets of Abc Coating Company, Inc. Of Texas, Waxahachie, TX, on July 1, 2008. With this acquisition, Abc Coating Company, Inc., Of Texas will operate as a subsidiary of the company. Financial terms were not disclosed.

On July 16, 2008, the company announced that it has completed the acquisition of substantially all the operating assets of Banner Rebar, Inc., Denver, CO, on July 1, 2008. With this acquisition, Banner Rebar, Inc. will operate as a subsidiary of the company. Financial terms were not disclosed.

On July 16, 2008, the company announced that it has completed the acquisition of substantially all the operating assets of Toltec Steel Services, Inc, Kankakee, IL, on July 1, 2008. With this acquisition, Toltec Steel Services, Inc will operate as a subsidiary of the company. Financial terms were not disclosed.

On July 16, 2008, the company announced that it has completed the acquisition of substantially all the operating assets of Rebar Trucking Inc, Waxahachie, TX, on July 1, 2008. With this acquisition, Rebar Trucking Inc will operate as a subsidiary of the company. Financial terms were not disclosed.

On June 6, 2008, the company announced that its subsidiary, CMC Poland, has completed the acquisition of substantially all the outstanding shares of PHP Nike SA located in Dabrowa Gornicza, Poland. Terms were not disclosed.

On May 1, 2008, an inside source stated that Rebar Service & Supply Co., was acquired by the company on April 28, 2008. As a result of this acquisition, Rebar Service & Supply Co., ceased to operate as a separate entity. The former location of Rebar Service & Supply Co., now operates as a branch location of the company. Terms of the deal were not disclosed.

On November 14, 2007, the company stated that it acquired substantially all of the operating assets of Conesco, Inc, Salt Lake City, UT. Both former Conesco locations now operate as branches of CMC Steel Fabricators, Inc., Seguin, TX (dba CMC Construction Services), an indirect subsidiary of the company.

On September 19, 2007, the company announced that its Swiss subsidiary, Commercial Metals International AG, has completed the acquisition of all outstanding shares of Valjaonica Cijevi Sisak (VCS) from the Croatian Privatization



Fund and Croatian government. VCS's name has been changed to CMC Sisak d.o.o.(CMC Sisak).

On September 19, 2007, the company announced that it has completed the acquisition of substantially all the operating assets of Economy Steel, Inc., of Las Vegas, Nevada. The acquired assets will operate under the new name of CMC Economy Steel and as part of CMC Americas Fabrication and Distribution segment. Karl Gamertsfelder, Area Manager Desert States, will assume the role of General Manager and Chuck Darnell, former owner, will serve as operations manager for the facility.

On March 2, 2007, the company announced that its Polish steel mill, CMC Zawiercie S.A., has purchased all of the shares of CMCZ owned by the Polish Ministry of State Treasury. The shares acquired represent approximately 26.8% of the total CMCZ shares outstanding. CMCZ paid in aggregate approximately \$59.5 million for the shares and intends to redeem the shares. With this purchase and subsequent redemption, the company holds approximately 99% of all CMCZ shares outstanding.

MURRAY R MCCLEAN. Director since 2006. He is the company's Chairman of the Board, CEO and President since 1995.

MALINDA G PASSMORE. He is the company's Vice President and CIO since 1999.

LOUIS A FEDERLE. He is the company's Treasurer since 1979.

WILLIAM B LARSON. He is the company's Senior Vice President and CFO since 1995.

HANNS ZOELLNER. He is the company's President CMC International since 2004.

HAROLD L ADAMS. Director since 2004. He is the Chairman Emeritus, RTKL Associates Inc.

ANTHONY A MASSARO. Director since 1999. He is retired Former Chairman, President and CEO of Lincoln Electric Holdings, Inc.

ROBERT D NEARY. Director since 2001. He is retired Former Co-Chairman of Ernst & Young.

MOSES FELDMAN. Director since 1976. He is the President of AeroMed, Inc.

RALPH E LOEWENBERG. Director since 1971. He is the President of R E Loewenberg Capital Management Corporation.

ROBERT L GUIDO. Director since 2007. He is retired Former Vice Chair and CEO of Ernst & Young's Assurance and Advisory Practice.

DOROTHY G OWEN. Director since 1995. She is retired Former Chairman of the Board Owen Steel Company, Inc.

J DAVID SMITH. Director since 2004. He is the Chairman, President and CEO, Euramax International, Inc.

ROBERT J WOMACK. Director since 1999. He is retired Former Chairman and CEO, Zurn Industries, Inc.

## OPERATIONS

06/04/2010

**Description:** Operates steel works, blast furnaces (and coke ovens) or steel mills, hot-rolled steel bars or bar shapes and steel structural shapes or pilings. Operates metals service centers or offices, steel, aluminum products and copper sheets, plates, bars, rods, pipes, etc.. Manufactures fabricated structural metal. Manufactures rolled, drawn or extruded copper. Wholesales coal and other minerals and ores, specializing in copper ore. Wholesales scrap or waste materials.

The company has five segments.

(1) Americas Recycling: This segment processes scrap metals for use as a raw material by manufacturers of new metal products.

(2) Americas Mills: This segment produce reinforcing bar, angles, flats, rounds, small beams, fence-post sections and other shapes; a copper tube minimill and one scrap metal shredder processing facility that directly supports the adjoining steel minimill.

(3) Americas Fabrication and Distribution: This segment operates as the bending, cutting, welding and fabricating steel, primarily reinforcing bar and angles; warehouses that sell or rent products for the installation of concrete; plants that produce special sections for floors and ceiling support; plants that produce steel fence posts; and plants that treat steel with heat to strengthen and provide flexibility.

(4) International Mills: This segment operation, includes ten scrap metals processing facilities in Poland that directly support CMCZ with approximately one-half of its scrap requirements.

(5) International Fabrication and Distribution: This segment operates through buying and selling primary and secondary metals, fabricated metals and other industrial products.

Selling terms: (1) Letter of credit (for foreign); (2) Net 30 days. Sells to the steel industry. Territory : International.

Many of the company's mills and fabrication facilities customers are in the construction business. Due to the increase in construction during the spring and summer months, the company's sales are generally higher in the third and fourth quarters than in the first and second quarters of the company's fiscal year.

**Employees:** 15,164 which includes officer(s). 417 employed here.

**Facilities:** Rents 120,000 sq. ft. in a ten story steel building Subject rents seven of the 10 floors.

**Location:** Central business section on main street.

**Branches:** This business has multiple branches, detailed branch information is available in D&B's linkage or family tree products.

**Subsidiaries:** This business has multiple subsidiaries, detailed subsidiary information is available in D&B's linkage or family tree products.

For more details on the corporate family of this business, use D&B's Global Family Linkage product.

#### CORPORATE FAMILY RELATIONSHIPS

The following establishments related to the subject of this report have reported activity with the Federal Government.

This is not a complete corporate family structure. To order more information on this business's corporate structure, use D&B's Global Family Linkage product.

D-U-N-S	Name	Loans	Claims	Debarments	Contracts	Grants
96-552-6593	AHT, INC.	NO	NO	NO	YES	NO
06-712-3570	SMI STEEL INC.	NO	YES	NO	NO	NO
61-435-2649	REGIONAL STEEL CORPORATION	NO	YES	NO	NO	NO
09-335-8398	REINFORCING, POST-TENSIONING	NO	YES	NO	NO	NO
82-613-7150	COMMERCIAL METALS OF AUGUSTA	NO	YES	NO	NO	NO
13-782-9391	CMC STEEL FABRICATORS INC	NO	YES	NO	NO	NO
80-021-8450	C M C STEEL FABRICATORS, INC.	NO	YES	NO	NO	NO
02-079-2164	C M C STEEL FABRICATORS, INC.	NO	YES	NO	NO	NO
10-995-8137	COMMERCIAL METALS COMPANY	NO	NO	NO	YES	NO
09-268-5379	C M C STEEL FABRICATORS, INC.	NO	NO	NO	YES	NO
09-680-3346	C M C STEEL FABRICATORS, INC.	NO	YES	NO	NO	NO
80-825-8909	CMC CONCRETE ACCESSORIES, INC.	NO	YES	NO	NO	NO
01-743-3876	COMMERCIAL METALS COMPANY	NO	YES	NO	NO	NO
00-811-9414	STRUCTURAL METALS INC	NO	YES	NO	NO	NO
00-732-4924	C M C STEEL FABRICATORS, INC.	NO	YES	NO	NO	NO
00-334-6723	OWEN STEEL COMPANY N. C., INC.	NO	YES	NO	YES	NO

#### SIC & NAICS

##### SIC:

Based on information in our file, D&B has assigned this company an extended 8-digit SIC. D&B's use of 8-digit SICs enables us to be more specific to a company's

##### NAICS:

331111 Iron and Steel Mills  
331111 Iron and Steel Mills  
331111 Iron and Steel Mills

operations than if we use the standard 4-digit code.

The 4-digit SIC numbers link to the description on the Occupational Safety & Health Administration (OSHA) Web site. Links open in a new browser window.

33120000	Blast furnaces and steel mills
33120502	Bars and bar shapes, steel, hot-rolled
33120405	Structural shapes and pilings, steel
50510000	Metals service centers and offices
50510216	Steel
50519901	Aluminum bars, rods, ingots, sheets, pipes, plates, etc.
50510302	Copper sheets, plates, bars, rods, pipes, etc., nec
34410000	Fabricated structural metal
33510000	Copper rolling and drawing
50520101	Copper ore
50930000	Scrap and waste materials

423510	Metals Service Centers and Other metal MerchantWholesalers
423510	Metals Service Centers and Other metal MerchantWholesalers
423510	Metals Service Centers and Other metal MerchantWholesalers
423510	Metals Service Centers and Other metal MerchantWholesalers
332312	Fabricated Structural Metal Manufacturing
331421	Copper Rolling, Drawing, and Extruding
423520	Coal and Other Mineral and Ore Merchant Wholesalers
423930	Recyclable Material Merchant Wholesalers

## LOANS & GUARANTEES

### Reported Federal Loans and Loan Guarantees

After a search of our files, we find that no government activity has been reported in this section.

## OTHER DEBTS

### Claims, Fees, Fines, Overpayments, Penalties and Other Misc. Reported Debts to Federal Agencies

<b>Date Reported:</b>	06/14/2010
<b>Date Established:</b>	11/04/2009
<b>Type of Debt:</b>	PENALTY
<b>Terms:</b>	N/A
<b>Interest Rate:</b>	N/A
<b>Amount:</b>	\$1,875
<b>Balance Due:</b>	\$1,875
<b>Current Due:</b>	\$0
<b>Past Due:</b>	\$0
<b>Last Payment:</b>	N/A
<b>Date of Delinquency:</b>	N/A
<b>Status:</b>	N/A
<b>Cause:</b>	OSHA-IMIS
<b>Federal Creditor:</b>	OCCUPATIONAL SAFETY & HLTH ADM
<b>Account ID No.:</b>	3137254420627100

## CONTRACTS

### Reported U.S. Government Contract Actions

<b>Date Reported:</b>	05/22/2010
<b>Contract Amount:</b>	\$1,000
<b>Award Date:</b>	12/2009
<b>Type of Contract:</b>	N/A
<b>Contracting Agency:</b>	DEPT OF DEFENSE
<b>Contracting Office:</b>	N/A
<b>Contract ID No./Agency Order No.:</b>	0032/32
<b>Type of Action:</b>	ORDER UNDER SINGLE AWARD INDEF DEL CONTR
<b>Federal Supply Code:</b>	5680
<b>Nature of Contract:</b>	MISC CONSTRUCT MATERIALS

**Date Reported:** 04/04/2010  
**Contract Amount:** \$3,000  
**Award Date:** 11/2009  
**Type of Contract:** N/A  
**Contracting Agency:** DEPT OF DEFENSE  
**Contracting Office:** N/A  
**Contract ID No./Agency**  
**Order No.:** 0031/31  
**Type of Action:** ORDER UNDER SINGLE AWARD INDEF DEL CONTR  
**Federal Supply Code:** 5680  
**Nature of Contract:** MISC CONTRUCT MATERIALS

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**Date Reported:** 09/30/2009  
**Contract Amount:** \$13,000  
**Award Date:** 05/2009  
**Type of Contract:** N/A  
**Contracting Agency:** DEPT OF DEFENSE  
**Contracting Office:** N/A  
**Contract ID No./Agency**  
**Order No.:** 0028/28  
**Type of Action:** ORDER UNDER SINGLE AWARD INDEF DEL CONTR  
**Federal Supply Code:** 5680  
**Nature of Contract:** MISC CONTRUCT MATERIALS

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**Date Reported:** 09/30/2009  
**Contract Amount:** \$1,000  
**Award Date:** 03/2009  
**Type of Contract:** N/A  
**Contracting Agency:** DEPT OF DEFENSE  
**Contracting Office:** N/A  
**Contract ID No./Agency**  
**Order No.:** 0027/27  
**Type of Action:** ORDER UNDER SINGLE AWARD INDEF DEL CONTR  
**Federal Supply Code:** 5680  
**Nature of Contract:** MISC CONTRUCT MATERIALS

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**Date Reported:** 09/30/2009  
**Contract Amount:** \$3,000  
**Award Date:** 02/2009  
**Type of Contract:** N/A  
**Contracting Agency:** DEPT OF DEFENSE  
**Contracting Office:** N/A  
**Contract ID No./Agency**  
**Order No.:** 0026/26  
**Type of Action:** ORDER UNDER SINGLE AWARD INDEF DEL CONTR  
**Federal Supply Code:** 5680  
**Nature of Contract:** MISC CONTRUCT MATERIALS

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**Date Reported:** 09/30/2009  
**Contract Amount:** \$3,000  
**Award Date:** 01/2009  
**Type of Contract:** N/A  
**Contracting Agency:** DEPT OF DEFENSE  
**Contracting Office:** N/A  
**Contract ID No./Agency**  
**Order No.:** 0025/25  
**Type of Action:** ORDER UNDER SINGLE AWARD INDEF DEL CONTR  
**Federal Supply Code:** 5680  
**Nature of Contract:** MISC CONTRUCT MATERIALS

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**Date Reported:** 09/30/2009  
**Contract Amount:** \$3,000  
**Award Date:** 12/2008  
**Type of Contract:** N/A  
**Contracting Agency:** DEPT OF DEFENSE

**Contracting Office:** N/A  
**Contract ID No./Agency Order No.:** 0024/24  
**Type of Action:** ORDER UNDER SINGLE AWARD INDEF DEL CONTR  
**Federal Supply Code:** 5680  
**Nature of Contract:** MISC CONTRACT MATERIALS

**Date Reported:** 09/30/2009  
**Contract Amount:** \$1,000  
**Award Date:** 11/2008  
**Type of Contract:** N/A  
**Contracting Agency:** DEPT OF DEFENSE  
**Contracting Office:** N/A  
**Contract ID No./Agency Order No.:** 0023/23  
**Type of Action:** ORDER UNDER SINGLE AWARD INDEF DEL CONTR  
**Federal Supply Code:** 5680  
**Nature of Contract:** MISC CONTRACT MATERIALS

## EXCLUSIONS

### Reported Party Excluded From Federal Program(s)

After a search of our files, we find that no government activity has been reported in this section.

## GRANTS

### Reported U.S. Government Grants Awards

After a search of our files, we find that no government activity has been reported in this section.

## D&B PAYDEX

The D&B PAYDEX is a unique, dollar weighted indicator of payment performance based on up to 869 payment experiences as reported to D&B by trade references.

### 3-Month D&B PAYDEX: 72

When weighted by dollar amount, payments to suppliers average 12 days beyond terms.



Based on trade collected over last 3 months.

### D&B PAYDEX: 70

When weighted by dollar amount, payments to suppliers average 15 days beyond terms.



Based on up to 24 months of trade.

When dollar amounts are not considered, then approximately 80% of the company's payments are within terms.

## PAYMENT SUMMARY

The Payment Summary section reflects payment information in D&B's file as of the date of this report.

Below is an overview of the company's dollar-weighted payments, segmented by its suppliers' primary industries:

	Total Rcv'd (#)	Total Dollar Amts (\$)	Largest High Credit (\$)	Within Terms (%)	Days Slow <31 31-60 61-90 90> (%)			
<b>Top industries:</b>								
Nonclassified	50	528,850	100,000	84	15	1	-	-
Public finance	46	1,131,200	300,000	100	-	-	-	-
Trucking non-local	46	448,250	95,000	68	14	11	7	-
Telephone communictns	36	714,050	600,000	51	1	48	-	-
Whol metal	32	581,850	200,000	95	5	-	-	-
Whol industrial suppl	29	620,950	200,000	90	10	-	-	-
Railroad	24	2,694,000	600,000	76	24	-	-	-
Steel works	6	425,750	250,000	64	36	-	-	-
Mfg lime	5	1,702,500	600,000	82	18	-	-	-
Refuse system	3	2,003,500	2,000,000	-	100	-	-	-
OTHER INDUSTRIES	526	5,092,450	300,000	75	16	4	4	1
<b>Other payment categories:</b>								
Cash experiences	36	11,800	5,000					
Payment record unknown	24	60,150	10,000					
Unfavorable comments	5	8,500	5,000					
<b>Placed for collections:</b>								
With D&B	0	0						
Other	1	N/A						
Total in D&B's file	869	16,023,800	2,000,000					

The highest **Now Owes** on file is \$2,000,000

The highest **Past Due** on file is \$2,000,000

Dun & Bradstreet has 869 payment experiences in its file for this company. For your convenience, we have displayed 80 representative experiences in the PAYMENTS section.

#### PAYMENT DETAILS

##### Detailed payment history

Date Reported (mm/yy)	Paying Record	High Credit (\$)	Now Owes (\$)	Past Due (\$)	Selling Terms	Last Sale Within (months)
08/10	Ppt	15,000	0	0		4-5 mos
	Ppt	1,000	1,000			4-5 mos
	Ppt	500	500			2-3 mos
	Ppt	250	0			2-3 mos
	Ppt-Slow 30	2,500	2,500			2-3 mos
07/10	Ppt	200,000	0	0		1 mo
	Ppt	200,000	45,000	0	N45	1 mo
	Ppt	50,000	0	0		6-12 mos
	Ppt	40,000	0	0		2-3 mos
	Ppt	35,000	0	0		6-12 mos
	Ppt	30,000	7,500	0		1 mo
	Ppt	20,000	0	0		2-3 mos
	Ppt	10,000	5,000	0	Regular terms	1 mo
	Ppt	10,000	0	0	Regular terms	1 mo
	Ppt	10,000	5,000	0	N30	1 mo
	Ppt	7,500	2,500	0	N30	1 mo

Ppt	7,500	7,500	0	N30	1 mo
Ppt	5,000	250	0		1 mo
Ppt	5,000	500	0	N30	1 mo
Ppt	5,000	750	0		1 mo
Ppt	5,000	0	0		2-3 mos
Ppt	5,000	750	0		1 mo
Ppt	2,500	0	0		4-5 mos
Ppt	2,500	1,000	0		1 mo
Ppt	2,500	2,500	0		1 mo
Ppt	2,500	0	0		2-3 mos
Ppt	2,500	0	0		2-3 mos
Ppt	2,500	750	0		1 mo
Ppt	2,500	1,000	0	N30	1 mo
Ppt	1,000	250	0	N30	1 mo
Ppt	1,000	1,000	0		1 mo
Ppt	1,000	0	0		6-12 mos
Ppt	1,000	250	0		1 mo
Ppt	750	50	0	N30	1 mo
Ppt	750	500	0		1 mo
Ppt	500	0	0	N30	6-12 mos
Ppt	500	0	0		6-12 mos
Ppt	500	0	0	N30	2-3 mos
Ppt	250	0	0		6-12 mos
Ppt	250	0	0		1 mo
Ppt	250	250	50		1 mo
Ppt	250	250	0		1 mo
Ppt	250	0	0		2-3 mos
Ppt	250	0	0		1 mo
Ppt	100	0	0	Lease Agreement	1 mo
Ppt	100	0	0		6-12 mos
Ppt	100	100	50		1 mo
Ppt	100	0	0		2-3 mos
Ppt	50	0	0		1 mo
Ppt	50	0	0	N30	6-12 mos
Ppt	50	0	0		6-12 mos
Ppt	50	0	0		6-12 mos
Ppt	50	50	0		1 mo
Ppt-Slow 30	200,000	200,000	45,000		1 mo
Ppt-Slow 30	40,000	35,000	0	N30	1 mo
Ppt-Slow 30	30,000	7,500	0	Regular terms	1 mo
Ppt-Slow 30	10,000	0	0		2-3 mos
Ppt-Slow 30	1,000	0	0		2-3 mos
Ppt-Slow 30	750	750	750	N30	1 mo
Ppt-Slow 30	250	0	0		4-5 mos
Ppt-Slow 30	250	0	0		6-12 mos
Ppt-Slow 45	10,000	0	0		6-12 mos
Ppt-Slow 60	65,000	65,000	15,000		1 mo
Ppt-Slow 60	7,500	0	0		4-5 mos
Ppt-Slow 60	2,500	2,500	500	Regular terms	1 mo
Ppt-Slow 60	1,000	250	100		1 mo
Ppt-Slow 60	100	0	0		6-12 mos
Ppt-Slow 60+	15,000	0	0	N30	6-12 mos
Ppt-Slow 90+	50	0	0		6-12 mos

Ppt-Slow 120	2,500	2,500	500		1 mo
Slow 10	250	0	0	N30	6-12 mos
Slow 15	7,500	2,500	2,500		1 mo
Slow 15	1,000	750	500	N30	1 mo
Slow 30	35,000	30,000	30,000		1 mo
Slow 30	750	750	750		1 mo
Slow 30	250	0	0		6-12 mos
Slow 30-90	1,000	0	0		6-12 mos
Slow 30-120	500	0	0		6-12 mos
(079)	1,000	1,000	1,000		1 mo
Unsatisfactory.					
06/10 (080)				Sales COD	1 mo

Payment experiences reflect how bills are met in relation to the terms granted. In some instances payment beyond terms can be the result of disputes over merchandise, skipped invoices etc.

Each experience shown is from a separate supplier. Updated trade experiences replace those previously reported.

#### STATEMENT UPDATE

07/12/2010

Interim Consolidated statement dated MAY 31 2010:

#### Assets

Cash	289,630,000
Accts Rec	791,487,000
Inventory	652,992,000
Other Curr Assets	293,591,000

**Curr Assets 2,027,700,000**

Fixt & Equip	1,253,092,000
Goodwill	71,053,000
Other Assets	212,655,000

**Total Assets 3,564,500,000**

#### Liabilities

Accts Pay	507,196,000
Notes Pay	53,126,000
Accts Pay-Documntary Letter Of Crdt	76,326,000
L.T. Liab-(1yr)	28,634,000
Accrued Expenses & Other Payables	333,701,000
Commercial Paper	10,000,000

**Curr Liabs 1,008,983,000**

Deferred Income Taxes	46,298,000
Long-Term Debt	1,175,834,000
L.T. Liab-Other	106,339,000
COMMON STOCK	1,290,000
ADDIT. PD.-IN CAP	365,552,000
ADJUSTMENTS	(33,421,000)
RETAINED EARNINGS	1,184,087,000
TREASURY STOCK	(290,462,000)

**Total 3,564,500,000**

From SEP 01 2009 to MAY 31 2010 sales \$4,489,855,000; cost of goods sold \$4,253,574,000. Gross profit \$236,281,000; operating expenses \$447,053,000. Operating income \$(210,772,000); other expenses \$62,513,000; net income before taxes \$(273,285,000); Federal income tax \$(60,218,000); (net loss) \$213,067,000.

Statement obtained from Securities And Exchange Commission. Prepared from books without audit.

Accounts receivable shown net less \$35,741,000 allowance. Fixed assets shown net less \$1,054,562,000 depreciation.

#### Explanations

The net worth of this company includes intangibles. Adjustments consists of Accumulated other comprehensive income and Stockholder equity attributable to noncontrolling interest.

#### FINANCE

11/03/2009



**Three-year statement comparative:**

	<b>Fiscal Consolidated Aug 31 2007</b>	<b>Fiscal Consolidated Aug 31 2008</b>	<b>Interim Consolidated May 31 2009</b>
Current Assets	2,458,852,000	3,217,443,000	2,078,997,000
Current Liab	1,072,589,000	1,732,481,000	838,860,000
Current Ratio	2.29	1.86	2.48
Working Capital	1,386,263,000	1,484,962,000	1,240,137,000
Other Assets	1,013,811,000	1,528,928,000	1,602,964,000
Net Worth	1,548,567,000	1,638,383,000	1,494,188,000
Sales	8,329,016,000	10,427,378,000	
Long Term Liab	851,507,000	1,375,507,000	1,348,913,000
Net Profit (Loss)	355,431,000	231,966,000	

**Fiscal Consolidated statement dated AUG 31 2009:**

<b>Assets</b>		<b>Liabilities</b>	
Cash	405,603,000	Accts Pay	453,565,000
Accts Rec	731,282,000	Notes Pay	1,759,000
Inventory	678,541,000	Accruals	327,212,000
Other Curr Assets	182,126,000	L.T. Liab-(1yr)	32,802,000
<b>Curr Assets</b>	<b>1,997,552,000</b>	<b>Curr Liabs</b>	<b>815,338,000</b>
Fixt & Equip	1,351,389,000	Deferred Income Taxes	44,564,000
Goodwill	74,236,000	Long-Term Debt	1,181,740,000
Other Assets	264,379,000	L.T. Liab-Other	116,221,000
		COMMON STOCK	1,290,000
		ADDIT. PD.-IN CAP	380,737,000
		ACCUM OTHER COMPREHENSIVE INCOME	34,257,000
		RETAINED EARNINGS	1,438,205,000
		TREASURY STOCK	(324,796,000)
<b>Total Assets</b>	<b>3,687,556,000</b>	<b>Total</b>	<b>3,687,556,000</b>

From SEP 01 2008 to AUG 31 2009 annual sales \$6,793,396,000; cost of goods sold \$6,013,335,000. Gross profit \$780,061,000; operating expenses \$748,200,000. Operating income \$31,861,000; other income \$2,614,000; net income before taxes \$34,475,000; Federal income tax \$13,673,000. Net income \$20,802,000.

Statement obtained from Securities And Exchange Commission. Prepared from statement(s) by Accountant: Deloitte & Touche LLP, Dallas, Texas.

**ACCOUNTANT'S OPINION**

A review of the accountant's opinion indicated that the financial statement meets generally accepted accounting principles and the audit contains no qualifications.

Accounts receivable shown net less \$42,134,000 allowance. Fixed assets shown net less \$1,013,461,000 depreciation.

**Explanations**

The net worth of this company includes intangibles. Other Long Term Liabilities consist of Minority interest and Other long-term liabilities.

On November 3, 2009 the financial information was updated.

**KEY BUSINESS RATIOS**

**Statement date:** AUG 31 2009  
**Based on this number of establishments:** 15

<b>Firm</b>		<b>Industry Median</b>	
Return of Sales:	0.3	Return of Sales:	( 0.1)
Current Ratio:	2.4	Current Ratio:	2.4
Assets / Sales:	54.3	Assets / Sales:	109.9
Total Liability / Net Worth:	141.1	Total Liability / Net Worth:	101.9

**PUBLIC FILINGS**

The following Public Filing data is for information purposes only and is not the official record. Certified copies can only be obtained from the official source.

**SUITS**

**Status:** Pending  
**CASE NO.:** 3-09-00042  
**Plaintiff:** J.P. MORGAN CHASE BANK, N.A.  
**Defendant:** COMMERCIAL METALS COMPANY  
**Cause:** NEGOTIABLE INSTRUMENT  
**Where filed:** US FEDERAL DISTRICT COURT, DALLAS, TX

**Date status attained:** 01/08/2009  
**Date filed:** 01/08/2009  
**Latest Info Received:** 01/08/2009

**Status:** Pending  
**CASE NO.:** 040839  
**Plaintiff:** BOYD MILES  
**Defendant:** COMMERCIAL METALS COMPANY, CHATTANOOGA, TN  
**Where filed:** HAMILTON COUNTY CHANCERY COURT-11TH DISTRICT, PART II, CHATTANOOGA, TN

**Date status attained:** 08/12/2004  
**Date filed:** 08/12/2004  
**Latest Info Received:** 03/24/2005

If it is indicated that there are defendants other than the report subject, the lawsuit may be an action to clear title to property and does not necessarily imply a claim for money against the subject.

**LIENS**

A lienholder can file the same lien in more than one filing location. The appearance of multiple liens filed by the same lienholder against a debtor may be indicative of such an occurrence.

**Amount:** \$4,242  
**Status:** Open  
**FILING NO.:** 2010 28034  
**Type:** State Tax  
**Filed by:** STATE OF SOUTH CAROLINA  
**Against:** CMC SOUTH CAROLINA STEEL, GREENVILLE, SC AND OTHERS  
**Where filed:** GREENVILLE COUNTY REGISTER OF DEEDS, GREENVILLE, SC

**Date status attained:** 04/28/2010  
**Date filed:** 04/28/2010  
**Latest Info Received:** 07/20/2010

**UCC FILINGS**

**Collateral:** Negotiable instruments including proceeds and products - Inventory including proceeds and products - Account(s) including proceeds and products - Chattel paper including proceeds and products - and OTHERS  
**Type:** Original  
**Sec. party:** THE BANK OF NOVA SCOTIA, AS ADMINISTRATIVE AGENT, NEW YORK, NY

**Debtor:** COMMERCIAL METALS COMPANY  
**Filing number:** 2008 1535382  
**Filed with:** SECRETARY OF STATE/UCC DIVISION, DOVER, DE  
**Date filed:** 05/02/2008  
**Latest Info Received:** 05/29/2008

**Collateral:** Negotiable instruments including proceeds and products - Inventory including proceeds and products - Account(s) including proceeds and products - Chattel paper including proceeds and products - and OTHERS  
**Type:** Amendment  
**Sec. party:** CMC RECEIVABLES, INC, IRVING, TX THE BANK OF NOVA SCOTIA, AS ADMINISTRATIVE AGENT, NEW YORK, NY  
**Debtor:** COMMERCIAL METALS COMPANY  
**Filing number:** 2010 1173941  
**Filed with:** SECRETARY OF STATE/UCC DIVISION, DOVER, DE  
**Date filed:** 04/06/2010  
**Latest Info Received:** 05/06/2010  
**Original UCC filed date:** 05/02/2008  
**Original filing no.:** 2008 1535382

**Collateral:** Negotiable instruments including proceeds and products - Inventory including proceeds and products - Account(s) including proceeds and products - Chattel paper including proceeds and products - and OTHERS  
**Type:** Original  
**Sec. party:** THE BANK OF NOVA SCOTIA, AS ADMINISTRATIVE AGENT, NEW YORK, NY  
**Debtor:** CMC RECEIVABLES, INC.  
**Filing number:** 2008 1535523  
**Filed with:** SECRETARY OF STATE/UCC DIVISION, DOVER, DE  
**Date filed:** 05/02/2008  
**Latest Info Received:** 05/29/2008

**Collateral:** Negotiable instruments including proceeds and products - Account(s) including proceeds and products - Chattel paper including proceeds and products - General intangibles(s) including proceeds and products - Contract rights including proceeds and products  
**Type:** Amendment  
**Sec. party:** MELLON BANK, N.A., AS ADMINISTRATIVE AGENT, PITTSBURGH, PA  
**Debtor:** CMC RECEIVABLES, INC.  
**Filing number:** 6128177 3  
**Filed with:** SECRETARY OF STATE/UCC DIVISION, DOVER, DE  
**Date filed:** 04/17/2006  
**Latest Info Received:** 06/02/2006  
**Original UCC filed date:** 07/18/2001  
**Original filing no.:** 1072700 3

**Collateral:** Inventory and proceeds  
**Type:** Original  
**Sec. party:** WACHOVIA CAPITAL FINANCE CORPORATION (CENTRAL), CHICAGO, IL  
**Debtor:** COMMERCIAL METALS COMPANY, CHICORA, PA  
**Filing number:** 2009 1421855  
**Filed with:** SECRETARY OF STATE/UCC DIVISION, DOVER, DE  
**Date filed:** 05/05/2009  
**Latest Info Received:** 06/05/2009

**Collateral:** Inventory and proceeds - Account(s) and proceeds - Chattel paper and proceeds - Equipment and proceeds  
**Type:** Original  
**Sec. party:** U.S. BANCORP EQUIPMENT FINANCE, INC., PORTLAND, OR  
**Debtor:** COMMERCIAL METALS COMPANY  
**Filing number:** 2009 0509031  
**Filed with:** SECRETARY OF STATE/UCC DIVISION, DOVER, DE  
**Date filed:** 02/17/2009  
**Latest Info Received:** 03/19/2009

**Collateral:** Inventory and proceeds  
**Type:** Original  
**Sec. party:** CRADER EQUIPMENT COMPANY., INB. DBA CRADER DISTRIBUTING COMPANY,  
MARBLE HILL, MO  
**Debtor:** CMC CONSTRUCTION SERVICES, HOUSTON, TX  
**Filing number:** 070032291115  
**Filed with:** SECRETARY OF STATE/UCC DIVISION, AUSTIN, TX

**Date filed:** 09/20/2007  
**Latest Info Received:** 10/01/2007

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**Type:** Termination  
**Sec. party:** CRADER EQUIPMENT COMPANY., INB. DBA CRADER DISTRIBUTING COMPANY,  
MARBLE HILL, MO  
**Debtor:** CMC CONSTRUCTION SERVICES, HOUSTON, TX  
**Filing number:** 1000088588  
**Filed with:** SECRETARY OF STATE/UCC DIVISION, AUSTIN, TX

**Date filed:** 03/30/2010  
**Latest Info Received:** 03/31/2010  
**Original UCC filed date:** 09/20/2007  
**Original filing no.:** 070032291115

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**Collateral:** Assets and proceeds - Equipment and proceeds  
**Type:** Original  
**Sec. party:** GE CAPITAL COMMERCIAL INC., BILLINGS, MT  
**Debtor:** COMMERCIAL METALS COMPANY  
**Filing number:** 2010 1694268  
**Filed with:** SECRETARY OF STATE/UCC DIVISION, DOVER, DE

**Date filed:** 05/14/2010  
**Latest Info Received:** 06/11/2010

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**Collateral:** Account(s) and proceeds - General intangibles(s) and proceeds - Chattel paper  
and proceeds - Leased Equipment and proceeds - Leased Vehicles and proceeds  
**Type:** Original  
**Sec. party:** FLEET CAPITAL CORPORATION, PROVIDENCE, RI  
**Debtor:** COMMERCIAL METALS COMPANY  
**Filing number:** 6136494 2  
**Filed with:** SECRETARY OF STATE/UCC DIVISION, DOVER, DE

**Date filed:** 04/13/2006  
**Latest Info Received:** 06/22/2006

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**Collateral:** Account(s) and proceeds - Leased Equipment and proceeds  
**Type:** Original  
**Sec. party:** GENERAL ELECTRIC CREDIT CORPORATION OF TENNESSEE, ADDISON, TX  
**Debtor:** COMMERCIAL METALS COMPANY  
**Filing number:** 4205213 4  
**Filed with:** SECRETARY OF STATE/UCC DIVISION, DOVER, DE

**Date filed:** 07/21/2004  
**Latest Info Received:** 08/25/2004

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**Type:** Continuation  
**Sec. party:** GENERAL ELECTRIC CAPITAL CORPORATION, ADDISON, TX  
**Debtor:** COMMERCIAL METALS COMPANY  
**Filing number:** 2009 0697117  
**Filed with:** SECRETARY OF STATE/UCC DIVISION, DOVER, DE

**Date filed:** 03/05/2009  
**Latest Info Received:** 05/12/2009  
**Original UCC filed date:** 07/21/2004  
**Original filing no.:** 4205213 4

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**Collateral:** Leased Assets and proceeds - Leased Equipment and proceeds  
**Type:** Original  
**Sec. party:** GE CAPITAL COMMERCIAL INC., BILLINGS, MT  
**Debtor:** COMMERCIAL METALS COMPANY  
**Filing number:** 2010 1701667

**Filed with:** SECRETARY OF STATE/UCC DIVISION, DOVER, DE

**Date filed:** 05/14/2010

**Latest Info Received:** 06/11/2010

There are additional UCC's in D&B's file on this company available by contacting 1-800-234-3867.

The public record items contained in this report may have been paid, terminated, vacated or released prior to the date this report was printed.

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SEP 1 2004

Wes Constable  
Manager  
Commercial Metals Company  
4614 Agnes Street (Hwy 44)  
Corpus Christi, TX 78405

Dear Mr. Constable:

A representative of the U.S. Environmental Protection Agency (EPA), Region 6 conducted a Polychlorinated biphenyl (PCB) inspection of your facility under the authority of Section 11 of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2610, on March 24, 2003. A copy of the inspection report is enclosed. The EPA will be contacting you regarding potential violations of the TSCA PCB regulations.

The EPA supports and encourages your efforts to eliminate PCBs from your shredder fluff by implementing a source control program. However, a source control program (unless approved by EPA pursuant to § 761.62(c)) is not a substitute for compliance with the PCB disposal regulations. The PCB regulations provide the following options for disposal of shredder fluff:

- 40 C.F.R. § 761.62(a) - waste from the shredding of automobiles or household appliances from which **every PCB small capacitor was not removed** - TSCA PCB approved incinerator or landfill, RCRA approved hazardous waste landfill, TSCA alternate disposal approval under 40 C.F.R. § 761.60(e), decontamination per 40 C.F.R. § 761.79
- 40 C.F.R. § 761.62(b) - waste from the shredding of automobiles or household appliances from which **PCB small capacitors have been removed** - disposal in a facility permitted, licensed, or registered by a State as a municipal or non-municipal non-hazardous waste landfill
- 40 C.F.R. § 761.62(c) - waste from the shredding of automobiles or household appliances from which **every PCB small capacitor was not removed** - apply in writing for a risk-based disposal approval

6EN-AT:LROBERTS:lmr:x7579:08-27-04:CMC CORPUS LTR.WPD



Furthermore, if your shredder fluff meets the definition of PCB bulk product waste in 40 C.F.R. § 761.3, and any of the items from which your shredder fluff was derived contained  $\geq 50$  ppm PCBs at the time they were designated for disposal, the shredder fluff is regulated for storage in accordance with 40 C.F.R. § 761.65. The appropriate storage requirements for PCB bulk product waste are listed under 40 C.F.R. § 761.65(c)(9). These requirements allow shredder fluff to be stored at the site of generation for up to 180 days subject to certain conditions (Section 761.65(c)(9)(i)-(iii)). Specifically, § 761.65(c)(9)(i) requires control of wind dispersal by means other than wetting. Section 761.65(c)(9)(ii) requires no generation of leachate through decomposition or other reactions. Section 761.65(c)(9)(iii)(A) requires a liner that is designed, constructed, and installed to prevent any migration of wastes into soil and ground or surface water. Section 761.65(c)(9)(iii)(B) requires that the shredder area be covered to prevent the fluff from becoming saturated by precipitation. Section 761.65(c)(9)(iii)(C)(2) requires that any storm water diverted from around the shredder fluff storage areas be collected and controlled.

The Toxic Substances Control Act (TSCA), which provides the authority for the PCB regulations codified at 40 C.F.R. Part 761, is a strict liability statute. Accordingly, a lack of intent to violate, and even a good faith effort to comply with, TSCA's requirements does not provide a defense to liability in the case of a violation, 15 U.S.C. § 2614; In the Matter of Leonard Strandley, TSCA Appeal No. 89 4, 3 EAD 718, 722 (November 25, 1991).

As your source control program, as identified at the time of inspection, does not ensure that every capacitor is removed and you have sent your shredder fluff to a municipal landfill, EPA may be requesting additional information from you and/or requesting your attendance at a pre-enforcement meeting. If you have any questions regarding this report or the TSCA PCB regulations, please contact Ms. Lou Roberts, Regional PCB Coordinator, at (214) 665-7579.

Sincerely yours,

Mark Hansen  
Acting Chief  
Air/Toxics Inspection &  
Coordination Branch

Enclosure

cc: Mr. Kelly Nash, Environmental Manager  
Commercial Metals Company  
Dallas, TX

El Centro Landfill (w/o enclosure)  
Robstown, TX



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200

DALLAS, TX 75202-2733

SEP 1 2004

Wes Constable  
Manager  
Commercial Metals Company  
4614 Agnes Street (Hwy 44)  
Corpus Christi, TX 78405

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- 40 C.F.R. § 761.62(c) - waste from the shredding of automobiles or household appliances from which **every PCB small capacitor was not removed** - apply in writing for a risk-based disposal approval

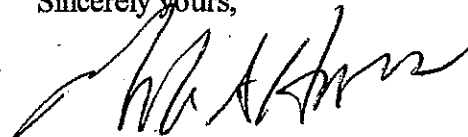


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Sincerely yours,



Mark Hansen  
Acting Chief  
Air/Toxics Inspection &  
Coordination Branch

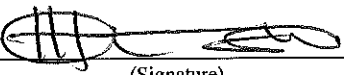
Enclosure

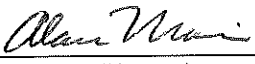
cc: Mr. Kelly Nash, Environmental Manager  
Commercial Metals Company  
Dallas, TX

El Centro Landfill (w/o enclosure)  
Robstown, TX

**FACILITY NAME: Commercial Metals Company, Corpus Christi**  
**EPA ID NUMBER: TXD070482757**

## **INSPECTION/REVIEW COMMENTS**

1. INSPECTED BY:  Texas Dept. Of Health, March 24, 2003  
(Signature) (Agency and Date of Inspection)  
(Ken Ofunrein, R.S.)

2. REVIEWED BY:  Texas Dept. Of Health, 3/18/04  
(Signature) (Agency and Date of Review)  
(Alan Morris, Director, Toxic Substances Control Division)

### 3. Comments

Commercial Metals Company located in Corpus Christi, Texas, was targeted for a polychlorinated biphenyl (PCB) inspection on the 2002-2003 Texas state neutral scheme under the "Shredder Initiative" category. Available Toxic Substances Control Act (TSCA) records indicate that no PCB compliance inspection had been conducted at this facility.

### **Inspection Narrative**

On March 24, 2003, at 8:56 am, Mr. Ken Ofunrein, R.S., TSCA Inspector, arrived at Commercial Metals Company, located at 4614 Agnes Street (Highway 44), Corpus Christi, Texas 78405. The inspector met Mr. Wes Constable, Manager, and Mr. Keith Hoelscher, Environmental Coordinator. Mr. Kelly Nash, Environmental Manager, CMC Secondary Metals Division, was in conference via telephone. The purpose of the inspection was explained to them after the inspector had presented his credentials. Mr. Constable signed the Notice of Inspection form and the TSCA Inspection Confidentiality Notice and copies were provided for his retention.

### **Facility Description:**

Commercial Metals Company, Corpus Christi, belongs to the secondary metals processing division of the Commercial Metals Group. The facility occupies about 15 acres and is located in an industrial zone. The area used for the shredder operation is about 1-2 acres. According to Mr. Constable, the site is registered as a TCEQ voluntary clean up site because some PCBs were found in the site during a previous investigation.

Commercial Metals Company, Corpus Christi, is a shredder operation that purchases scrap metals that is shredded to recover ferrous and non-ferrous metals. The shreddable materials are sourced from automobiles, white goods, stainless steel and other materials. The facility was a scrap yard prior to when Commercial Metals Company acquired it in the late 1970s. Central Power and Light provides power and the facility does not own transformers. Waste oil is generated from routine maintenance of machinery and vehicles on site.

### **Physical Inspection:**

Areas inspected in the facility included the scale, non-ferrous warehouse, torching area, the shredder, eddy current machine, scrap yard, and salvage waste (fluff) piles.

**FACILITY NAME: Commercial Metals Company, Corpus Christi**  
**EPA ID NUMBER: TXD000742403**

The scale and radiation detector are located beside the administrative office (see facility map). Trucks carrying scrap are weighed and inspected as they come into the facility. The materials that are not accepted for shredding includes transformers, capacitors and other PCB containing items, gas tanks, compressors and batteries. The radiation detector checks for the presence of radioactive materials. When the truck is weighed and inspected, it is directed to the appropriate area in the plant where it is offloaded. During the inspection of March 24, 2003, a couple of trucks were turned back at the gate because they had white goods with capacitors.

The non-ferrous processing area had a copper bailer. There were large boxes containing nickel alloy, high value metals, stainless steel and brass in the warehouse. Also there were storage bins for radiators. The batteries were wrapped and stored under a roof. Close to the non-ferrous warehouse is the 11,000-ton Vezzani Shearer. It is used to cut aluminum into small pieces and bailed. In the torching area, large metal sheets are cut into smaller pieces and either put into rail cars or put into the shredder for further processing.

The waste oil generated from routine maintenance of machinery is stored in 500-gallon tanks and is recycled by Southwest Land and Marine, Inc. The hydraulic oil used in the plant for equipment maintenance is HYDRON 68 & 48.

Salvage wastes generated from the shredder operation were not containerized at the time of the inspection. There were three piles west of the facility at the time of the inspection. According to Mr. Constable, the salvage waste is disposed of daily at the landfill. However, on the day of the inspection, salvage waste had not been disposed of because the truck was under repair.

**Sampling and Laboratory Results:**

During the inspection of March 24, 2003, eight samples (five soil and three fluff) were collected at the facility as shown in the chain of custody form (Document No. 6) and duplicate samples were provided to the facility. Sample locations are indicated on the facility map included as document No. 1. The following table shows a summary of the laboratory results of the samples:

**LAB RESULTS NOT IN YET**

Stn. #	Sample matrix	EPA Lab Result
1	Soil - North of Shearer	6.76 mg/kg
2	Soil - East of shredder	48.73 mg/kg
3	Soil - North of shredder	36.94 mg/kg
4	Fluff pile	1.64 mg/kg
5	Shredder fluff discharge bin	29.66 mg/kg
6	Residue fines - fluff	47.94 mg/kg
7	Soil -SW Shearer discharge	3.56 mg/kg
8	Soil - SW of station #1	10.13 mg/kg

A copy of the laboratory result is included as addendum No. 1.

**FACILITY NAME: Commercial Metals Company, Corpus Christi**  
**EPA ID NUMBER: TXD000742403**

### **Record Review**

Salvage waste disposal records were reviewed. The facility had never disposed of PCB wastes before and waste oil records indicated that Southwest Land and Marine, Inc recycle it. Landfill records dating back to 2000 were reviewed. Groundwater investigation report dated April 1997 revealed that PCBs in groundwater was below detectable limit. Shredder residue (fluff) monitoring conducted in January 2000, showed that the PCB level was less than 50 ppm.

A closing conference was held with Mr. Constable and Mr. Hoelscher at the end of the inspection with Mr. Nash in attendance via conference telephone call. They were informed that no deficiencies of the PCB regulations were observed at the time of the inspection pending the analysis of the samples collected at the facility.

Laboratory results of the samples collected at Commercial Metals Company, Corpus Christi, analyzed by the EPA Environmental Services Branch Laboratory, Houston, was received on October 22 from Ms. Lou Roberts, EPA Region 6 PCB Coordinator.

FACILITY NAME: Commercial Metals Company, Corpus Christi  
EPA ID NUMBER: TXD000742403

1. Describe in detail the location of your salvage facility and surrounding area. *Do you have monitoring wells for ground water?*

**The facility is located in an industrial zone. There are about four wells on site but are not currently monitored.**

2. *What types of equipment do you use in your day-to-day operations? (Provide a list and capacity of equipment used)*

Equipment	Number of pieces	Manufacturer	Capacity
Shredder	1	Newell 81	
Shearers	2		
Bailers	HRB 1		
Cranes	7		
Bulldozers	1 track loader		
Front end loaders	2		
Trucks	6-7		

3. *What is the total tonnage of ferrous and non-ferrous metal scrap generated by your facility for each of the past three complete calendar years. How much of that is sold each year. Provide records*

**Facility asserts that production data be considered confidential business information. It is so marked as Doc. #4**

4. *What types of materials are received for shredding in your facility? (Specify the type of materials which, when processed through the operation of your shredder, produce salvage waste. Include any and all materials processed, including but not limited to, automobiles, white goods, electronic and electrical equipment.) Can you quantify the amount in tonnage for each category?*

FACILITY NAME: Commercial Metals Company, Corpus Christi  
EPA ID NUMBER: TXD000742403

Material	Supplier/source
Automobiles	Auto wreckers
White Goods	Community
Electronic equipment	None
Steel pipe	Community
Radiators	Community
Aluminum	Community
Copper wire	Peddlers
Brass	Peddlers
Bronze	Peddlers

5. Where do you get them from? Describe from whom or through what method the following materials for salvage operations are obtained:
- (1) automobiles
  - (2) white goods
  - (3) electronic equipment
  - (4) electrical equipment
  - (5) any other material which when processed for salvage produces salvage waste

See table above

6. *Describe how the materials are processed from the point where they are received to when they are shredded.* What do you do with each of these materials before you shred it? (Inspection \_\_\_\_, Weigh \_\_\_\_ etc)

Step me through the process starting at the main gate for materials that are received? Such as a pickup load of mixed material such as radiators, refrigerator and steel pipe and copper tubing towing a car for disposal (Weigh, unload, inspect, etc.?)

**When each truck is received, it is weighed and inspected for materials that are accepted for shredding. Two full time employees are dedicated to inspection of materials. This includes transformers, capacitors, gas tanks, other PCB containing items, compressors, and sealed containers.**

7. What is the total weight and volume of the materials produced by your shredder operations average per day/month/year?

(Example: the weight of an automobile is one ton. When shredded, the automobile produced X cubic feet of ferrous metal (1,400 lbs), two cubic feet of non-ferrous metal (100 lbs) and two cubic yards of salvage waste (500 lbs)).

FACILITY NAME: Commercial Metals Company, Corpus Christi  
EPA ID NUMBER: TXD000742403

What percentage of the material that you put in the shredder comes out as ferrous and non-ferrous metal? Would the remaining percentage of material be sent for disposal? Where do you dispose of the waste material?

**75% Steel**

**8-10% Residue**

**7% fluff (salvage waste)**

8. For each type of material received for shredding, specify:
- (1) the constituents of salvage waste (non-metal) produced by your shredder operations,
  - (2) the probable origin of each constituent,
  - (3) the percentage by weight of each constituent in relation to the total weight of salvage waste,
  - (4) the percentage by volume of each constituent in relation to the total volume of salvage waste.

See above

(Example: Salvage waste produced by the shredding of automobiles is approximately 40% by volume and 25% by weight polyurethane foam from seats, 25% by volume and 30% by weight dense plastic from dashboards and electrical insulation, 10% by volume and 15% by weight medium density plastics from seat covers and interior trim, 15% by volume and weight dirt, and 15% by volume 10% by weight paper.)

**The salvage waste is passed through the eddy current system to recover more metals. Plastic and fluff go into a holding tank that is sent to the landfill daily.**

**Salvage waste (fluff):**

**about 20% plastic and foam**

**18% scrap wire dirt and fabrics**

**34% Dirt**

**21% scrap wire**

9. Specify the content by weight (parts per million) of PCB waste in salvage waste produced by your shredder operations. (Is ferrous material sampled for PCBs before sold to steel mills?)

**Less than 50 ppm**

How do you check for PCBs in the material sent to the disposal site? What is sold?

FACILITY NAME: Commercial Metals Company, Corpus Christi  
EPA ID NUMBER: TXD000742403

10. Identify and provide any and all documents regarding the sampling and analysis of salvage waste to determine the presence of PCBs or other hazardous wastes such as RCRA, which were conducted at your facility or which was conducted by any third party.

**Materials sent to the landfill is tested periodically. Waste sent to El Central landfill is tested every two years or on demand by the landfill.**

11. Does anybody besides you know about identifying PCBs? (any and all persons who may have knowledge of any document regarding the sampling and analysis of salvage waste for the presence of PCBs, or of any sampling and analysis of salvage waste for the presence of PCBs. This SHOULD generate some type of training records)

**Kelly Nash and Wes Constable have had PCB training. However, PCB is covered in general terms in the facility's Hazard Communication Program. Employees are taught to identify materials that are not accepted in the facility**

12. How long do you keep salvage waste? Describe in detail the method of handling and moving salvage waste at this facility

**Facility does not accumulate salvage waste. It is sent to the landfill daily.**

13. Describe in detail the method of storage and holding for transportation of salvage waste by this facility.

**Salvage waste is stored in one huge tank from which trucks are loaded daily and then sent to the landfill.**

14. Specify the maximum amount of salvage waste stored at your salvage facility:

- 1) per day - **20-40 tons per day**
- 2) per week
- 3) per month

15. Specify in detail the method for disposal of salvage waste:

- 4) at your facility
- 5) by transport for disposal or sale by you to areas off your facility
- 6) by sale or other form of transfer to third parties for disposal or transport off your facility

**Salvage waste is not sold. Sent to landfill in trucks that are manifested**

16. Describe any and all measures to control the unintentional movement or migration of salvage waste within your storage facility or to areas outside your facility.



FACILITY NAME: Commercial Metals Company, Corpus Christi  
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**Never happened**

17. Identify by name, location and mailing address any and all disposal facilities into which salvage waste from your facility have been deposited or otherwise placed, by your facility or any third party since August 28, 1998.

**El Centro Landfill  
A Division of Texas Ecologists  
P.O. Box 307  
Robstown, TX 78380**

**The facility has been sending waste to E Centro since 1997. Before then, they used a landfill in San Antonio called Covet Gardens.**

18. Do you own a landfill? Specify in detail the design of each disposal facility maintained or previously used on your facility [if landfill], [or identified as off site disposal if landfill, the operator most likely would be clueless to these details].

**No**

19. Specify for each disposal facility identified as off site disposal whether salvage waste were disposed separately or in combination with other waste.

**Facility generates a small amount of packaging waste. Some cardboard pieces is sent with the salvage waste every now and then.**

20. Identify in detail and provide copies of any and all documents regarding the transportation of salvage waste from your facility for disposal or any other purpose.

**Reviewed some landfill tickets dated January 23 - 24, 2003.**

21. Specify if any of the following has been recorded in an existing document in your possession:

7) the concentration of PCBs in water which has leached from salvage waste storage piles to the soil immediately beneath the piles

**Not sure if voluntary clean up included groundwater investigation.**

- 2) the depth in such soil to which levels of PCBs or hazardous substances are measurable

**Measurable levels of PCBs have been recorded in soil**

FACILITY NAME: Commercial Metals Company, Corpus Christi  
EPA ID NUMBER: TXD000742403

- 3) the contamination of off-site areas and the distribution of PCBs off-site where measurements were taken.

**No data**

- 4) the distance from salvage waste storage piles to which salvage waste has been found to travel as the result of wind or other disturbances.

**Nothing has been blown off by wind and no complaints from neighbors**

- 5) the concentrations of PCBs in surface water runoff from salvage waste storage piles

**No data. Corpus Christi Bay is about 10 - 15 miles from the facility**

- 6) the concentration of PCBs in sediment samples from surface water bodies adjoining the site

**No data**

- 7) the concentrations of PCBs in groundwater located beneath salvage waste storage piles

**PCB was not included in the air quality study**

- 8) the concentrations of PCBs in the air;  
1)1 near salvage waste storage piles during shredding operations - **No data**  
1)2 near shredder during shredding operations - **No data**  
1)3 near salvage waste storage piles - **No data**



United States Environmental Protection Agency  
Washington, D.C. 20460

Toxic Substances Control Act

NOTICE OF INSPECTION

Form Approved  
OMB No. 2070-0007  
Approval Expires 07-31-96

The public reporting burden for this collection of information is estimated to average 5 minutes per response. This estimate includes time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information to the Chief, Information Policy Branch (PM-223), US Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked ATTENTION: Desk Officer for EPA.

1. Investigation Identification			2. Time	3. Firm Name
Date 3-24-03	Inspector No. Tx-071	Daily Seq. No. 1	8:56 am	COMMERCIAL METALS COMPANY
4. Inspector Address TEXAS DEPARTMENT OF HEALTH 1100 WEST 49TH ST AUSTIN, TX 78756				5. Firm Address 4614 AGNES ST. (HIGHWAY 44) CORPUS CHRISTI, TX 78405

REASON FOR INSPECTION

Under the authority of Section 11 of the Toxic Substances Control Act:

☒ For the purpose of inspecting (including taking samples, photographs, statements, and other inspection activities) an establishment, facility, or other premises in which chemical substances or mixtures or articles containing same are manufactured, processed or stored, or held before or after their distribution in commerce (including records, files, papers, processes, controls, and facilities) and any conveyance being used to transport chemical substances, mixtures, or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of the Act applicable to the chemical substances, mixtures, or articles within or associated with such premises or conveyance have been complied with.

☐ In addition, this inspection extends to (Check appropriate blocks):

☐ A. Financial data

☐ D. Personnel data

☐ B. Sales data

☐ E. Research data

☐ C. Pricing data

The nature and extent of inspection of such data specified in A through E above is as follows:

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Inspector Signature 		Recipient Signature 	
Name KEN OFUNREJIN		Name W. CONSTABLE	
Title INSPECTOR	Date Signed 3-24-03	Title MRG	Date Signed 3/24/2003





US ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

TOXIC SUBSTANCES CONTROL ACT

TSCA INSPECTION CONFIDENTIALITY NOTICE

Form Approved  
OMB No. 2070-0007  
Expires 3-31-88

1. INVESTIGATION IDENTIFICATION			2. FIRM NAME
DATE 3-24-03	INSPECTOR NO. TX-071	DAILY SEQ. NO. 1	COMMERCIAL METALS COMPANY
3. INSPECTOR NAME KEN OFUNREIN			4. FIRM ADDRESS 4614 AGNES ST. (HIGHWAY 44) CORRUS CHRISTI, TX 78405
5. INSPECTOR ADDRESS TEXAS DEPARTMENT OF HEALTH 1100 WEST 49TH STREET AUSTIN, TX 78756			6. CHIEF EXECUTIVE OFFICER NAME STAN RABINOW
			7. TITLE CEO

TO ASSERT A CONFIDENTIAL BUSINESS INFORMATION CLAIM

It is possible that EPA will receive public requests for release of the information obtained during inspection of the facility above. Such requests will be handled by EPA in accordance with provisions of the Freedom of Information Act (FOIA), 5 USC 552; EPA regulations issued thereunder, 40 CFR Part 2; and the Toxic Substances Control Act (TSCA), Section 14. EPA is required to make inspection data available in response to FOIA requests unless the Administrator of the Agency determines that the data contain information entitled to confidential treatment or may be withheld from release under other exceptions of FOIA.

Any or all the information collected by EPA during the inspection may be claimed confidential if it relates to trade secrets or commercial or financial matters that you consider to be confidential business information. If you assert a CBI claim, EPA will disclose the information only to the extent, and by means of the procedures set forth in the regulations (cited above) governing EPA's treatment of confidential business information. Among other things, the regulations require that EPA notify you in advance of publicly disclosing any information you have claimed as confidential business information.

A confidential business information (CBI) claim may be asserted at any time. You may assert a CBI claim prior to, during, or after the information is collected. The declaration form was developed by the Agency to assist you in asserting a CBI claim. If it is more convenient for you to assert a CBI claim on your own stationery or by marking the individual documents or samples "TSCA confidential business information," it is not necessary for you to use this form. The inspector will be glad to answer any questions you may have regarding the Agency's CBI procedures.

While you may claim any collected information or sample as confidential business information, such claims are unlikely to be upheld if they are challenged unless the information meets the following criteria:

1. Your company has taken measures to protect the confidentiality of the information, and it intends to continue to take such measures.

2. The information is not, and has not been, reasonably obtainable without your company's consent by other persons (other than governmental bodies) by use of legitimate means (other than discovery based on showing of special need in a judicial or quasi-judicial proceeding).
3. The information is not publicly available elsewhere.
4. Disclosure of the information would cause substantial harm to your company's competitive position.

At the completion of the inspection, you will be given a receipt for all documents, samples, and other materials collected. At that time, you may make claims that some or all of the information is confidential business information.

If you are not authorized by your company to assert a CBI claim, this notice will be sent by certified mail, along with the receipt for documents, samples, and other materials to the Chief Executive Officer of your firm within 2 days of this date. The Chief Executive Officer must return a statement specifying any information which should receive confidential treatment.

The statement from the Chief Executive Officer should be addressed to:

MRS. LOU ROBERTS  
U.S. EPA (GEN-AT)  
1445 ROSS AVENUE, STE 1200  
DALLAS, TX 75202-2733

and mailed by registered, return-receipt requested mail within 7 calendar days of receipt of this Notice. Claims may be made any time after the inspection, but inspection data will not be entered into the special security system for TSCA confidential business information until an official confidentiality claim is made. The data will be handled under the agency's routine security system unless and until a claim is made.

TO BE COMPLETED BY FACILITY OFFICIAL RECEIVING THIS NOTICE:

I have received and read the notice

SIGNATURE

W. Constable

NAME

W. CONSTABLE

TITLE

MRG

DATE SIGNED

3/24/2003

NAME

TITLE

ADDRESS

If there is no one on the premises of the facility who is authorized to make business confidentiality claims for the firm, a copy of this Notice and other inspection materials will be sent to the company's chief executive officer. If there is another company official who should also receive this information, please designate below.



COMMERCIAL METALS COMPANY

**Wes Constable**  
*Manager*

Post Office Box 9067 Corpus Christi, Texas 78469  
4614 Agnes Street (Hwy. 44) Corpus Christi, Texas 78405  
Phone 361.884.4071 Fax 361.884.5172  
wconstable@cmc-scrap.com

**COMMERCIAL METALS COMPANY**

**KEITH HOELSCHER**

P.O. Box 9067  
Corpus Christi, TX 78469-9067  
Phone: (361) 884-4071  
KHoelscher@cmc-scrap.com

4614 Agnes St. (Hwy. 44)  
Corpus Christi, TX 78405  
Fax: (361) 884-5172

RECEIVE

MAR 23 2004

**TSCA INVESTIGATION SUMMARY**

Air/Toxics & Inspection  
Coordination Branch  
GEN-A

<b>Date of Inspection:</b> March 24, 2003		
<b>Inspector Name:</b> Ken Ofunrein, R.S., M.S.		<b>Inspector #:</b> TX-071
<b>Daily Sequence:</b> 01		
<b>Facility Name:</b> Commercial Metals Company, Corpus Christi		
<b>Physical Address:</b> 4614 Agnes Street (Hwy 44)		
<b>City:</b> Corpus Christi	<b>State:</b> Texas	<b>Zip Code:</b> 78405
<b>Mailing Address:</b> State: Texas		<b>Zip Code:</b>
<b>Telephone:</b> 361-884-4071		
<b>SIC Code:</b> 5093		
<b>NAICS Code:</b> 42193		
<b>Number of samples:</b> 8		
<b>Types of sample:</b> 5 Soil and 3 fluff		

3-24-03

## COMMERCIAL METALS - CORPUS CH

This site is registered as TCEQ voluntary cleanup site.

Has been some PCB data on this site. The investigation is proceeding through the TCEQ

Entire site is about 15 acres. Actual use for shredder operation - about 1-2 acres.

Non-ferrous area - Copper boiler, washers, nickel alloy high value items, stainless products, brass items - in a shed.

Storage Box for patches - aluminum  
Batteries are wrapped and stored under roof

Vezzani Shearer - 11,000 ton

Torching area - metal pieces cut into smaller bits

Waste Oil - <sup>recycled</sup> disposed by Southwest Land & Marine  
361-855-4551

Furf had never been disposed today because the truck is

HYDRON 68 & 48 - Hydraulic oil used in plant - for different equipment.

RANDO 46 - made by Texaco.

Disposal of furf is done daily.



**OFFICIAL PHOTOGRAPH**  
**TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03      **TIME:** 1:31 pm      **PHOTO:** 1 of 16



**Subject:** A close up of the area where sample #1 was collected at Commercial Metals Company, Corpus Christi, on 3-24-03, at the north end of the shearer.



**OFFICIAL PHOTOGRAPH**  
**TEXAS DEPARTMENT OF HEALTH**

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**LOCATION:** Commercial Metals Company

**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03

**TIME:** 1:32 pm

**PHOTO:** 2 of 16



**Subject:** A view of the area where sample #1 was collected at Commercial Metals Company, Corpus Christi, on 3-24-03

**OFFICIAL PHOTOGRAPH  
TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03

**TIME:** 1:44 pm

**PHOTO:** 3 of 16



**Subject:** A close up of the area where sample #2 (soil) was collected at Commercial Metals Company, Corpus Christi, on 3-24-03, in an area east of the shredder.



**OFFICIAL PHOTOGRAPH  
TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03      **TIME:** 1:44 pm      **PHOTO:** 4 of 16



**Subject:** A view of the area where sample #2 (soil) was collected at Commercial Metals Company, Corpus Christi, on 3-24-03, in area east of the shredder.

**OFFICIAL PHOTOGRAPH**  
**TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03

**TIME:** 1:57 pm

**PHOTO:** 5 of 16



**Subject:** A close up of the area where sample #3 (soil) was collected at Commercial Metals Company, Corpus Christi, on 3-24-03, in area north of the shredder.



**OFFICIAL PHOTOGRAPH  
TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03

**TIME:** 1:57 pm

**PHOTO:** 6 of 16



**Subject:** A view of the area where sample #3 (soil) was collected at Commercial Metals Company, Corpus Christi, on 3-24-03, in an area north of the shredder.

**OFFICIAL PHOTOGRAPH  
TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03      **TIME:** 2:05 pm      **PHOTO:** 7 of 16



**Subject:** A close up of the area where sample #4 (fluff pile located NW of shredder) was collected at Commercial Metals Company, Corpus Christi, on 3-24-03



**OFFICIAL PHOTOGRAPH**  
**TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03      **TIME:** 2:05 pm      **PHOTO:** 8 of 16



**Subject:** A view of the area where sample #4 (fluff pile located NW of shredder) was collected at Commercial Metals Company, Corpus Christi, on 3-24-03

**OFFICIAL PHOTOGRAPH**  
**TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

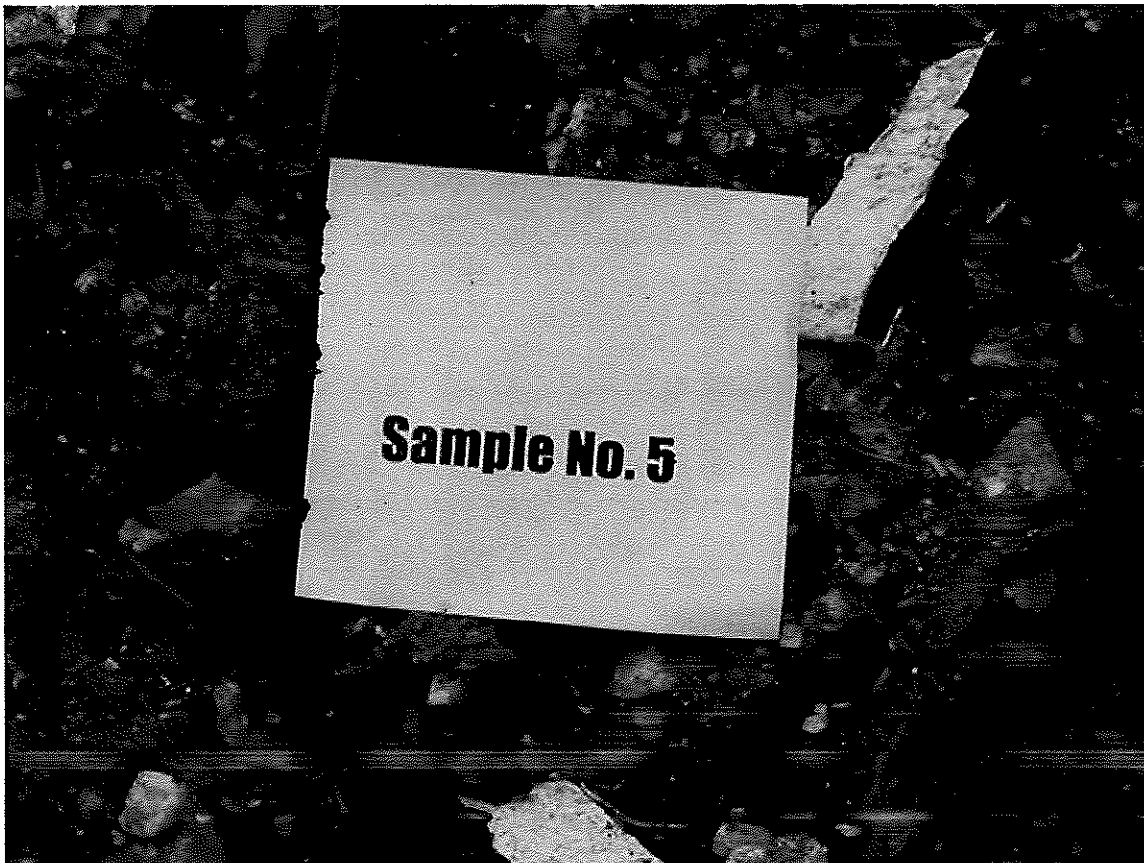
**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03      **TIME:** 2:12 pm      **PHOTO:** 9 of 16



**Subject:** A close up of the area where sample #5 (fluff) was collected at Commercial Metals Company, Corpus Christi, on 3-24-03, in the shredder fluff discharge area.



**OFFICIAL PHOTOGRAPH  
TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03      **TIME:** 2:12 pm      **PHOTO:** 10 of 16



**Subject:** A view of the area where sample #5 (fluff) was collected at Commercial Metals Company, Corpus Christi, on 3-24-03, in the shredder fluff discharge area

**OFFICIAL PHOTOGRAPH  
TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03

**TIME:** 2:19 pm

**PHOTO:** 11 of 16



**Subject:** A close of the area where sample #6 (residue fines) was collected at Commercial Metals Company, Corpus Christi, on 3-24-03.



**OFFICIAL PHOTOGRAPH  
TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03

**TIME:** 2:19 pm

**PHOTO:** 12 of 16



**Subject:** A view of the area where sample #6 (residue fines) was collected at Commercial Metals Company, Corpus Christi, on 3-24-03.

**OFFICIAL PHOTOGRAPH  
TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

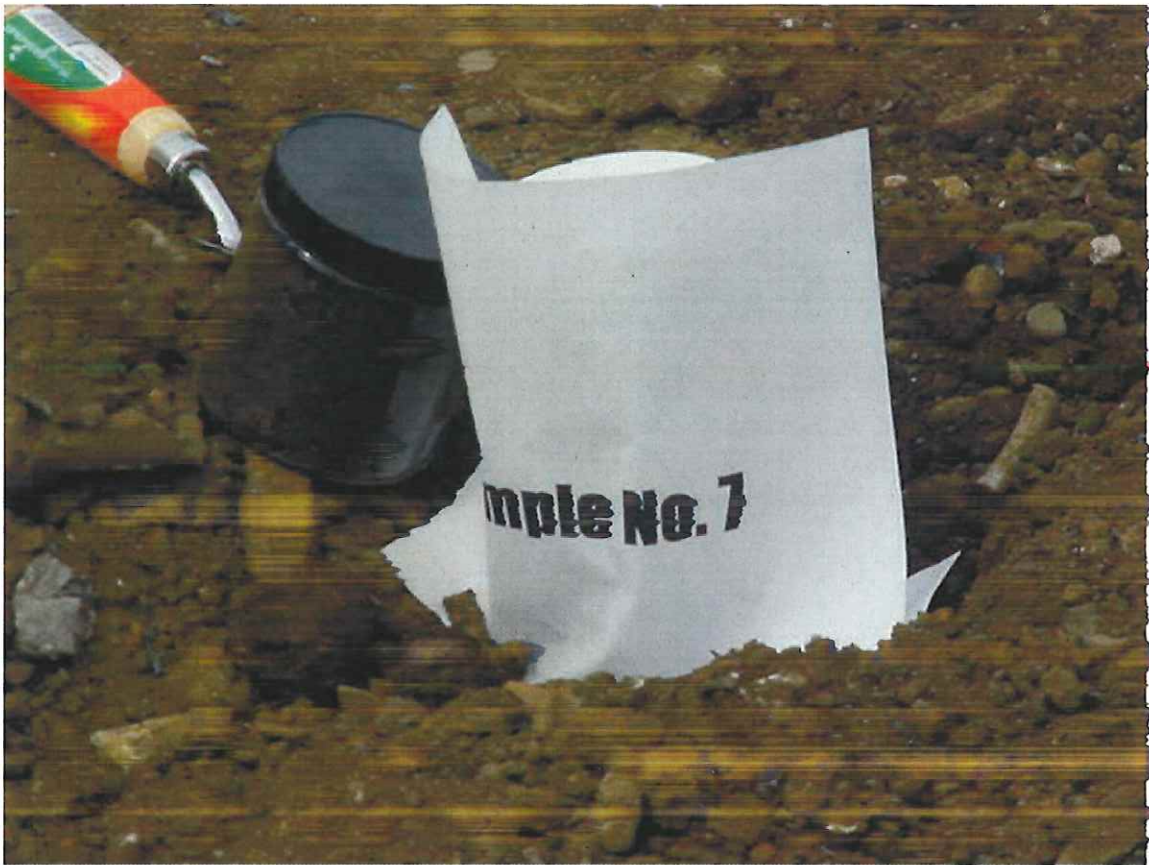
**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03      **TIME:** 2:19 pm      **PHOTO:** 13 of 16



**Subject:** A close up of the area where sample #7 (soil) was collected at Commercial Metals Company, Corpus Christi, on 3-24-03, southwest of the shearer discharge area.



**OFFICIAL PHOTOGRAPH  
TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03

**TIME:** 2:29 pm

**PHOTO:** 14 of 16



**Subject:** A view of the area where sample #7 (soil) was collected at Commercial Metals Company, Corpus Christi, on 3-24-03, south west of the shearer discharge area also known as the torch area.

**OFFICIAL PHOTOGRAPH  
TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03

**TIME:** 2:39 pm

**PHOTO:** 15 of 16



**Subject:** A close up of the area where sample #8 (soil) was collected at Commercial Metals Company, Corpus Christi, on 3-24-03.



**OFFICIAL PHOTOGRAPH**  
**TEXAS DEPARTMENT OF HEALTH**

.....

**LOCATION:** Commercial Metals Company

**ADDRESS:** 4614 Agnes Street (Highway 44)

**CITY:** Corpus Christi **STATE:** Texas

**PHOTOGRAPHER:** Ken Ofunrein

**CAMERA:** Sony FD Mavica Digital Camera

**DATE:** 3-24-03

**TIME:** 2:39 pm

**PHOTO:** 16 of 16



**Subject:** A view of the area where sample #8 (soil) was collected at Commercial Metals Company, Corpus Christi, on 3-24-03.



US ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

TOXIC SUBSTANCES CONTROL ACT

RECEIPT FOR SAMPLES AND DOCUMENTS

1. INVESTIGATION IDENTIFICATION			2. COMPANY NAME
DATE 3-24-03	INSPECTION NO. TX-071	DAILY SEQ. NO. 1	COMMERCIAL METALS COMPANY
3. INSPECTOR ADDRESS TEXAS DEPARTMENT OF HEALTH 1100 WEST 49TH STREET AUSTIN, TX 78756			4. COMPANY ADDRESS 4614 AGNES ST. (HIGHWAY 44) CORPUS CHRISTI, TX 78405

For internal EPA use. Copies of this form may be provided to recipient as acknowledgment of the documents and samples of chemical substances and/or mixture described below collected in connection with the administration and enforcement of the Toxic Substances Control Act.

RECEIPT OF DOCUMENT(S) AND/OR SAMPLE(S) DESCRIBED IS HEREBY ACKNOWLEDGED:

NO.	DESCRIPTION
①	Facility Floor plan
②	Commercial Metal company shredder residue monitoring during characteristic leaching procedure.
③	Commercial Metal Phase I soil and groundwater investigation done in April, 1997
④	CMC Corpus Christi annual production for 2000, 2001 and 2002.
⑤	Landfill tickets for CMC, Corpus Christi 1-23-03 to 1-24-03

OPTIONAL:

DUPLICATE OR SPLIT SAMPLES: REQUESTED AND PROVIDED ☐

NOT REQUESTED ☐

INSPECTOR SIGNATURE

CLAIMANT SIGNATURE

NAME

KEN OFUNREIN

NAME

W. CONSTABLE

TITLE

INSPECTOR

DATE SIGNED

3-24-03

TITLE

MRG.

DATE SIGNED

3/24/03



# **Document No. 1**

Site plan of Commercial Metals Company, Corpus Christi, showing the locations of samples collected on 3-24-03

# COMMERCIAL METALS CO.

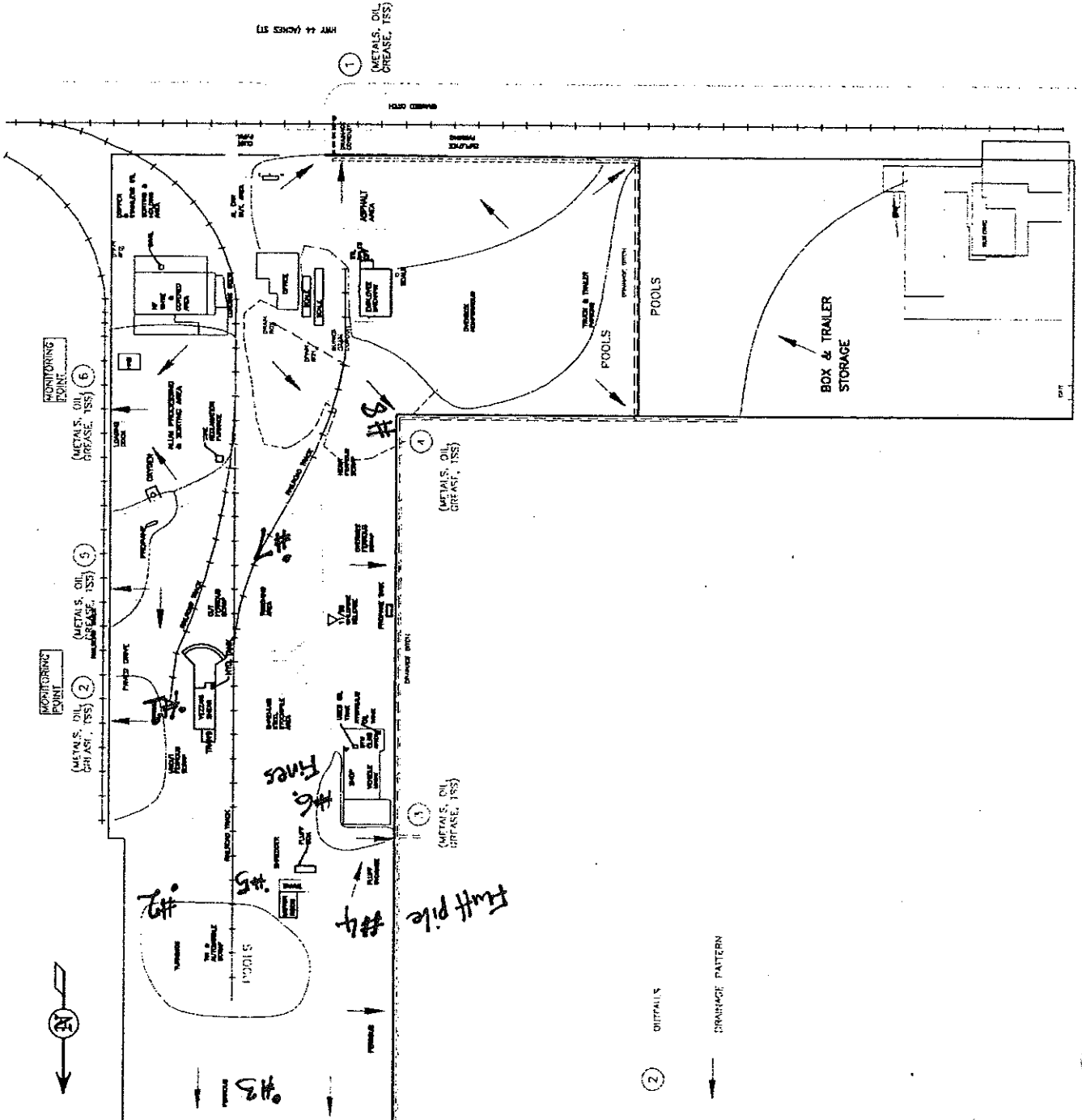
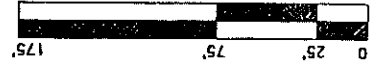
File: SITE PLAN

Project: STORM WATER

POLLUTION PREVENTION PLAN

Location: CORPUS CHRISTI, TEXAS

Branch# 361  
Project# SMP3  
Eqpt.#  
Type SWP No. 01.00B  
Date 11/16/89  
Scale: 1"=100'  
Drawn By M.A. KOLPAC  
File Name: SMP361



## **Document No. 2**

Commercial Metals Company, Corpus Christi, shredder residue monitoring and toxicity characteristics leaching procedure dated December 12, 2000

7 pages

claims Business Confidential Info

**W. Z. BAUMGARTNER & ASSOCIATES, INC.**  
ENVIRONMENTAL ENGINEERS AND CONSULTANTSP. O. BOX 680369 • FRANKLIN, TN 37068-0369  
310 WILLIAMSON SQUARE • FRANKLIN, TN 37064  
615-595-0025 • FAX 615-595-1595

## LETTER OF TRANSMITTAL

TO: Mr. Kelly Nash Commercial Metals Company P.O. Box 1046 Dallas, TX 75221-1046	DATE	January 2, 2001
	PROJECT NO.	92036
	RE:	Shredder Residue Monitoring
		Corpus Christi, Texas

*7 pages*  
*BUSINESS CONFIDENTIAL INFORMATION*

WE ARE SENDING YOU: ☒ Attached ☒ Previously faxed ☐ Under separate cover  
VIA: ☐ Overnight ☐ 2nd Day ☒ RegularTHE FOLLOWING ITEMS: ☒ Exhibits ☐ Shop Drawings ☐ Permit Applications  
☐ Reports ☐ Survey ☐ Change Order  
☐ Plans ☐ Specifications ☐ Other

COPIES	DATE	NO.	DESCRIPTION
1	12/12/00		Exhibit No. 1: TCLP Metals
1	12/12/00		Exhibit No. 2: Spike Matrix Recovery
1	12/12/00		Chain of Custody

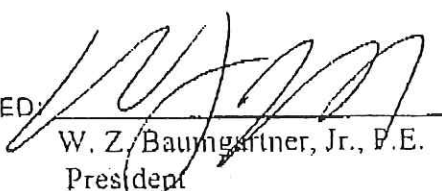
THESE ARE TRANSMITTED as checked below:

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| <input type="checkbox"/> For approval            | <input type="checkbox"/> Approved as submitted    | <input type="checkbox"/> Resubmit _____ copies for approval   |
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| <input type="checkbox"/> As requested            | <input type="checkbox"/> Returned for corrections | <input type="checkbox"/> Return _____ corrected prints        |
| <input type="checkbox"/> For review and comment  | <input type="checkbox"/> _____                    |   |

REMARKS:

COPY TO:

SIGNED:

  
W. Z. Baumgartner, Jr., P.E.  
President

## EXHIBIT NO. 1

COMMERCIAL METAL COMPANY  
CORPUS CHRISTI, TEXASSHREDDER RESIDUE MONITORING<sup>2</sup>  
TOXICITY CHARACTERISTIC LEACHING PROCEDURE

DECEMBER 12, 2000

PARAMETER	CONCENTRATION (57363)	EPA LIMIT
TCLP METALS (mg/l) <sup>1</sup>		
Arsenic	<0.10	5.0
Barium	<1.00	100.0
Cadmium	0.460	1.0
Chromium (T)	<0.50	5.0
Lead	1.22	5.0
Mercury	<0.010	0.2
Selenium	<0.100	1.0
Silver	<0.10	5.0

<sup>1</sup>EPA Method 1311<sup>2</sup>Sample not collected by W. Z. Baumgartner & Associates, Inc.W. Z. BAUMGARTNER & ASSOCIATES, INC.  
Environmental Engineers & Consultants  
P. O. Box 680369  
Franklin, TN 37068-0369

192036

W Z B

## EXHIBIT NO. 2

COMMERCIAL METAL COMPANY  
CORPUS CHRISTI, TEXASSPIKE MATRIX RECOVERY<sup>1</sup>

DECEMBER 12, 2000

PARAMETER	% RECOVERY (57565)
TCLP METALS	
Arsenic	100%
Barium	93%
Cadmium	98%
Chromium, Total	94%
Lead	92%
Mercury	103%
Selenium	108%
Silver	95%

<sup>1</sup>Sample not collected by W. Z. Baumgartner & Associates

W. Z. BAUMGARTNER & ASSOCIATES, INC.  
Environmental Engineers & Consultants  
P. O. Box 680369  
Franklin, TN 37068-0369

t92036

W Z B

7/2 JUL 15 1951  
1123  
COMMERCIAL METALS COMPANY  
SECURITY MEALS DIVISION

P.O. Box 1855  
Dallas, Texas 75271

Dr. J. S. [illegible]  
Dr. J. S. [illegible]

PROJECT NO.		PROJECT NAME		SAMPLE PARAMETER										OTHER		NUMBER OF CONTAINERS		REMARKS	
381		CMC - Corpus Christi, TX		XERO Candorale															
SAMPLES: (Signature)																			
STATION NUMBER	DATE	TIME	STATION LOCATION																
001	12/12/00	1100	Shredder Residue (5 grab samples)											5		(combine for one result)			
																Need RUSH			
																7 day turnaround if possible			
																Results to Kelly Nash			
																4(24) 689-4356			
				TOTAL NUMBER OF CONTAINERS										5					
RELINQUISHED BY: (Signature)		DATE	TIME	RECEIVED BY: (Signature)		RELINQUISHED BY: (Signature)		DATE	TIME	RECEIVED BY: (Signature)		RELINQUISHED BY: (Signature)		DATE	TIME	RECEIVED BY: (Signature)			
XERO Candorale		12/12/00	1500	K. E. P.															
RELINQUISHED BY: (Signature)		DATE	TIME	RECEIVED BY: (Signature)		RELINQUISHED BY: (Signature)		DATE	TIME	RECEIVED BY: (Signature)		RELINQUISHED BY: (Signature)		DATE	TIME	RECEIVED BY: (Signature)			
K. E. P.																			
METHOD OF SHIPMENT				SHIPPED BY: (Signature)		CARRIER: (Signature)		RECEIVED FOR LAB BY: (Signature)		DATE/TIME									
Federal Express				Kandorale				M. B. O. B.		12/13/00									

# W. Z. BAUMGARTNER & ASSOCIATES, INC.

ENVIRONMENTAL ENGINEERS AND CONSULTANTS

P. O. BOX 680369 • FRANKLIN, TN 37068-0369  
 310 WILLIAMSON SQUARE • FRANKLIN, TN 37064  
 615-595-0025 • FAX 615-595-1595

## LETTER OF TRANSMITTAL

TO: Mr. Kelly Nash Commercial Metals Company P.O. Box 1046 Dallas, TX 75221-1046	DATE	January 30, 2001
	PROJECT NO.	92036
	RE:	Shredder Residue Monitoring
		Corpus Christi, Texas

WE ARE SENDING YOU: ☒ Attached ☒ Previously faxed ☐ Under separate cover  
 VIA: ☐ Overnight ☐ 2nd Day ☒ Regular

THE FOLLOWING ITEMS: ☒ Exhibits ☐ Shop Drawings ☐ Permit Applications  
☐ Reports ☐ Survey ☐ Change Order  
☐ Plans ☐ Specifications ☐ Other

COPIES	DATE	NO.	DESCRIPTION
1	1/22/01		Exhibit No. 1: Constituent Analysis - Composite Sample
1	1/22/01		Chain of Custody

THESE ARE TRANSMITTED as checked below:

- |  |   |   |
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| <input type="checkbox"/> For approval            | <input type="checkbox"/> Approved as submitted    | <input type="checkbox"/> Resubmit _____ copies for approval   |
| <input checked="" type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted        | <input type="checkbox"/> Submit _____ copies for distribution |
| <input type="checkbox"/> As requested            | <input type="checkbox"/> Returned for corrections | <input type="checkbox"/> Return _____ corrected prints        |
| <input type="checkbox"/> For review and comment  | <input type="checkbox"/> _____                    |   |

REMARKS:

COPY TO:

SIGNED

W. Z. Baumgartner, Jr., P.E.  
 President



## EXHIBIT NO. 1

COMMERCIAL METALS COMPANY  
CORPUS CHRISTI, TEXASCOMPOSITE SAMPLE<sup>2</sup>  
CONSTITUENT ANALYSIS (mg/kg)

JANUARY 22, 2001

PARAMETER	CONCENTRATION (57866)	EPA LIMIT
PCB <sup>1</sup>	10.2	50
% Moisture	11.0	N.S.

<sup>1</sup>Concentration corrected for moisture content - EPA Method 8082<sup>2</sup>Composite of five (5) samples

N.S. - No Standard

W. Z. BAUMGARTNER & ASSOCIATES, INC.  
Environmental Engineers & Consultants  
P. O. Box 680369  
Franklin, TN 37068-0369

p\92036

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92036 w

[illegible]

## **Document No. 3**

Commercial Metals Company, Corpus Christi, phase 1 soil and groundwater investigation and proposed phase 2 perimeter surface soil sampling plan dated April 14, 1997

7 pages

claimed Business Confidential info

COMMERCIAL  
METALS  
BUSINESS CONFIDENTIAL  
INFORMATION  
7 pages

→ Wes Constable 381  
7 pages  
- K. Nash - 103

**PHASE 1  
SOIL AND GROUNDWATER INVESTIGATION  
AND  
PROPOSED PHASE 2  
PERIMETER SURFACE SOIL SAMPLING PLAN  
FOR  
COMMERCIAL METALS COMPANY  
CORPUS CHRISTI, TX FACILITY**

**VCP #222**

**APRIL 14, 1997**

**For Submittal to:**

Texas Natural Resource Conservation Commission  
Voluntary Cleanup Program  
P.O. Box 13088  
Austin, Texas 78711-3088

**Prepared for:**

Commercial Metals Company  
Secondary Metals Processing Division  
P.O. Box 1046  
Dallas, Texas 75221

CMC/final/96067  
R970401\_Phase1.doc

1/7



## 4.0 FIELD ACTIVITIES

This section describes the field activities performed during Phase 1 of a multi phase investigation of the Commercial Metals site located in Corpus Christi, Texas. Phase 1 field activities included the completion of three on-site soil borings which were converted into groundwater monitoring wells. Analytical results of subsurface soil and groundwater samples collected are contained in this report.

### 4.1 Site Geology

The site geology consists of a layer of fill material underlain by an upper clay. The upper clay ranges in depth from approximately 13 to 21 feet below ground level (bgl). Below the upper clay is a saturated, fine silty sand which makes up a shallow water bearing unit beneath the site. In soil borings MW-2 and MW-3 the sand unit was logged to a depth of 26 and 32 feet bgl respectively, where a lower clay unit was encountered. At soil boring MW-1, the sand unit was logged to a total depth of 29 feet bgl, without reaching a lower clay unit. The lower clay was penetrated 1 to 2 feet to verify its competency as the lower barrier of the water bearing unit. The boring logs for each location are contained as Appendix A of this report.

### 4.2 Soil Boring Completion

Three borings were completed on-site for the purpose of sampling the subsurface soil. Core-Terra, Inc., was contracted by Cook-Joyce, Inc.(CJI) to perform drilling activities. A B-61 truck mounted type drilling rig was used to drill the borings onsite. Borings were completed using the hollow-stem auger drilling method. All drilling and sampling equipment (i.e., augers, split spoons) were decontaminated using either a pressurized steam cleaner or a water andalconox soap solution prior to and between each drilling location. Excess soil cuttings and decontamination water produced during drilling activities were placed in dedicated 55 gallon drums and labeled with the origin of waste and contents. The drums are currently being held on site. Boring locations are shown in Figure 1.



#### 4.5 Groundwater Sampling

After allowing adequate time for each well to stabilize, groundwater samples were collected using a precleaned stainless steel bailer and placed into laboratory supplied containers. Samples were placed into a cooler for transport to the laboratory. Standard Chain-of-Custody forms accompanied the samples to the laboratory. Groundwater samples were analyzed for the following list of parameters:

- Total Petroleum Hydrocarbons (TPH);
- Volatile organics (Total);
- Semi-volatile organics (Total);
- Polychlorinated biphenyls (PCB's);
- Total Dissolved Solids (TDS);
- Total Metals (antimony, arsenic, barium, beryllium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, thallium, and zinc);
- Total Cyanide;
- Total Fluoride;
- Total Sulfate;
- Total Nitrate;



- Total Nitrite; and
- Total Nitrate/Nitrite.

Groundwater analytical results indicated trace levels of TPH in MW-1, MW-2, and MW-3. The groundwater analytical results are presented in Table 2. A copy of the laboratory report is included as Appendix B. Depth to water was measured at each monitor well. Figure 2 shows the piezometric surface of the groundwater beneath the site. Groundwater is moving in a northerly direction towards MW-3. Field measurements of pH, conductivity, and temperature were measured at the time of sampling and are presented in Table 2. Figure 3 shows groundwater analytical results according to monitor well location.



## 5.0 PHASE 1 INVESTIGATION SUMMARY

The Phase 1 investigation included the completion of three on-site borings which were converted into groundwater monitoring wells. Soil samples were collected continuously at two foot intervals from each boring. The initial five samples and the uppermost saturated sand sample collected at each location were submitted for laboratory analysis. Boring/Monitoring well locations are shown on Figure 1.

Analytical results of soil samples taken at boring MW-1 indicate elevated levels of barium, cadmium, chromium, lead, and nickel from 0 to 2 feet below ground level (bgl). Boring MW-2 showed high levels of Total Petroleum Hydrocarbons (TPH), arsenic, barium, cadmium, chromium, copper, lead, mercury, nickel, zinc, and PCB's from 1 to 5 feet bgl. Boring MW-3 had elevated levels of TPH, barium, cadmium, chromium, lead, mercury, nickel, and PCB's from 0 to 2 feet bgl. Soil analytical results can be found in Table 1. The laboratory data sheets are contained as Appendix B to this report.

Groundwater samples were collected from each monitoring well. The groundwater analytical results from monitoring well MW-1 indicate trace levels of TPH, and beryllium. MW-2 had trace levels of TPH, and lead. MW-3 showed trace levels of TPH, barium, and lead, and zinc. Nitrates were also detected in MW-3. PCB's were below detectable limits in the three wells sampled. Groundwater analytical results are presented in Table 2. The laboratory data sheets are contained as Appendix B to this report.

Each monitoring well was surveyed to establish the vertical control. The wells were surveyed relative to an arbitrary datum point of 100 feet. Groundwater flow direction was determined to be in a northerly direction with an approximate gradient of  $2.0 \times 10^{-3}$  feet/foot.





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Table 1  
Phase 1 Soil Analytical Results  
Commercial Metals Co.  
Corpus Christi, Texas

Boring# Depth(ft)	Soil Concentrations(mg/kg)													PCB's
	TPH	Arsenic	Barium	Cadmium	Chromium	Copper	Lead	Mercury	Nickel	Silver	Zinc	Flouride		
MW-1														
(0-2)	BDL	BDL	265	0.65	14	13	26	0.12	10	BDL	71.25	12.5	BDL	
(2-4)	BDL	BDL	140	BDL	10	3.5	6	BDL	9	BDL	24.7	13.5	BDL	
(4-6)	BDL	BDL	105	BDL	12	3	5	BDL	8	BDL	21.2	9	BDL	
(6-8)	BDL	BDL	160	BDL	13	5	5	BDL	10	BDL	36.7	7.5	BDL	
(8-10)	12	BDL	155	BDL	10	4	BDL	BDL	10	BDL	26	6	0.39*	
(14-16)	24	0.58	BDL	BDL	BDL	BDL	BDL	BDL	5	BDL	10.7	1.5	0.2*	
MW-2														
(1-3)	15,570	16	500	19.3	145	2,600	2,300	0.96	192	17	4,960	10	24.2*	
(3-5)	21,340	BDL	100	1.25	17	2,400	100	0.19	15	BDL	308	5	9.6 <sup>(1)*</sup>	
(5-7)	20	BDL	55	BDL	11	4	5	BDL	9	BDL	22.6	2	BDL	
(7-9)	BDL	BDL	BDL	BDL	10	3	4	BDL	7	BDL	22.9	3.5	BDL	
(9-11)	BDL	0.52	BDL	BDL	8	BDL	4	BDL	7	BDL	13.3	2.5	BDL	
(13-15)	BDL	0.44	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	6.6	2	BDL	
MW-3														
(0-2)	950	BDL	225	1.45	36	60	128	1.12	190	BDL	554	21	7.2 <sup>(1)*</sup>	
(3-5)	BDL	BDL	225	BDL	14	5	5	BDL	11	BDL	28.5	7	BDL	
(5-7)	BDL	BDL	135	BDL	12	4	6	BDL	8	BDL	24.2	7.5	BDL	
(7-9)	BDL	BDL	175	BDL	16	4	6	BDL	1	BDL	35.1	5	BDL	
(9-11)	BDL	BDL	250	BDL	14	5	5	BDL	11	BDL	38.15	4	BDL	
(21-23)	BDL	0.49	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	4.35	2.5	BDL	

Note:

<sup>(1)</sup> Identified with PCB-1254 at a concentration of 2.8(mg/kg) in MW-2(3-5) and 2.3(mg/kg) in MW-3(0-2).

\* Total PCB's as Decachlorobiphenyl

BDL = Below Detection Limits



4/7

Table 2  
Phase 1 Groundwater Analytical Results  
Commercial Metals Co.  
Corpus Christi, Texas

MW#	Groundwater Concentrations (mg/L)									
	TPH	Barium	Beryllium	Lead	Zinc	TDS	Fluoride	Sulfate	Nitrate	PCB's
MW-1	0.88	BDL	0.013	BDL	BDL	2,560	6.5	1,000	BDL	BDL
MW-2	0.82	BDL	BDL	0.035	BDL	2,768	4.5	450	0.1	BDL
MW-3	0.56	2.5	BDL	0.013	0.197	4,378	2.7	1,300	16	BDL

MW#	Field Measurements <sup>1</sup>	
	pH	Conductivity(uS)   Temperature(°F)
MW-1	6.93	3330   80
MW-2	7.18	4060   79
MW-3	7.07	9730   79.5

Note:

<sup>1</sup> = Taken in conjunction with groundwater sampling event.

BDL = Below Detection Limits

# **Document No. 4**

## **CONFIDENTIAL BUSINESS INFORMATION**

Commercial Metals Company, Corpus Christi, annual production data for 2001 – 2002

## **Constable, Wes**

---

**From:** Nash, Kelly  
**Sent:** Monday, March 24, 2003 10:53 AM  
**To:** Constable, Wes  
**Subject:** FW: Corpus Christi Production

### Business Confidential Information

The following is annual production data for CMC Corpus Christit for the last three fiscal years:

Fiscal Year	Ferrous	Nonferrous
2000	98,121 Tons	8,616 Tons
2001	73,327 Tons	6,628 Tons
2002	82,877 Tons	7,660 Tons

# **Document No. 5**

## **CONFIDENTIAL BUSINESS INFORMATION**

Commercial Metals Company, Corpus Christi, landfill tickets dated January 23 – 24, 2003

5 pages

200008 COMMERCIAL METALS  
P.O. BOX 9067  
CORPUS CHRISTI TX 78469


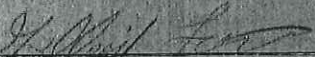
SITE	TICKET	GRID	WEIGHMASTER			
02	074467	CELL 11	SANDRA			
DATE IN	DATE OUT	TIME IN	TIME OUT	VEHICLE	ROLL OFF	
01/23/03	01/23/03	10:35	10:50			
REFERENCE		ORIGIN				

Manual Gross Wt.		83420	LB	Inbound - Charge ticket		
Scale 1 Tare Wt.		39160	LB			
Net Weight		44260	LB			
QTY.	UNIT	DESCRIPTION	RATE	EXTENSION	FEE	TOTAL
22.13	TON	C&D BY THE TON	13.75	304.29	27.66	331.95

Operating hours: 7AM-5PM MONDAY-FRIDAY 7AM-1PM SATURDAY  
This is to certify that this load does not contain any hazardous materials, medical waste or liquids of any type.

NET AMOUNT
331.95
TENDERED
CHANGE
CHECK NO.

SIGNATURE

<b>832995</b>		<b>Commercial Metals of Corpus Christi</b> P.O. Box 5887 Zip 78469      4814 Agnes St. (Hwy. 44) Corpus Christi, Texas      A/C 301 894-4371	
<b>INVOICE #21</b> 39480 1b IN	7:47AM      1-23-03		
<b>CUSTOMER'S NAME</b> <u>FL. Citrus Laminar</u>			
<b>ADDRESS</b> <u>Mr. Fune</u>			
<b>COMMODITY</b> <u>Prod #11 147101</u>			
<b>CARRIER</b>			
10:06AM      1-23-03		<b>LBS. GROSS</b>	
<b>82580 1b GR</b>		<b>LBS. TARE</b>	
<b>39480 1b TA</b>		<b>LBS. NET @</b>	
<b>43100 1b NT</b>		<b>PRICE PER UNIT</b>	
<b>SIGNATURE</b> 	<b>VEHICLE LIC. #</b>	<b>SCALE</b> <div style="border: 1px solid black; height: 100px; width: 100%; margin-top: 10px;"></div>	

Vendor warrants full title to said material represents that listed materials are not and are free from all, brand or vendor's use, design, or other legal claims, a stock new, as goods, or other legal claims.

### VOUCHER ENTRY

Batch No. 20

VOUCHER NO.:

NET AMOUNT


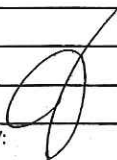
**VENDOR NO.:** \_\_\_\_\_

INV. DUE DATE

**INVOICE NO.:** \_\_\_\_\_

**DESCRIPTION:**

**INVOICE DATE:**

DISTRIBUTION ACCT.	DEPT.	ID	TRANS ID	AMOUNT
780050	14			331.98
EXTENSION CHECKED BY: 		DOCUMENT APPROVED BY: 		

200008 COMMERCIAL METALS  
P.O. BOX 9067  
CORPUS CHRISTI TX 78469

SITE	TICKET	ORID		WEIGHMASTER	
02	074499	CELL 11		SANDRA	
DATE IN	DATE OUT	TIME IN	TIME OUT	VEHICLE	ROLL OFF
01/23/03	01/23/03	12:33	12:46		
REFERENCE		ORIGIN			

Manual Gross Wt.	76420	LB
Manual Tare Wt.	39160	LB
Net Weight	37260	LB



Inbound - Charge ticket

QTY	UNIT	DESCRIPTION	RATE	EXTENSION	FEE	TOTAL
18.63	TON	C&D BY THE TON	13.75	256.16	23.29	279.45

This is to certify that this load does not contain any hazardous materials, medical waste or liquids of any type.

NET AMOUNT
279.45
TENDERED
CHANGE
CHECK NO.

SIGNATURE

833030				Commercial Metals of Corpus Christi 101 501 21st AVE.      1014 N. 5th St. P.O. Box 140 Corpus Christi, Texas      AIG 501 21st AVE.	
LOT # 1 39420 1b IN DATE 11109AM      1-23-03					
CUSTOMER'S NAME		C. C. C. Corp.			
ADDRESS					
COMMODITY		Aluminum			
CARRIER		H/C 1/42101			
11134AM      1-23-03					
75680 1b GR		LBS GROSS			
39420 1b TA		LBS TARE			
36260 1b NT		LBS NET G			
		PRICE      PER      U.S.			
SPECIMEN 		VEHICLE IN A 		SCALE 	
				9	

VOUCHER ENTRY

Batch No. 29

VOUCHER NO.: 2002

NET AMOUNT 279.45

VENDOR NO.: 78133

INV. DUE DATE 750

INVOICE NO.: 074499

DESCRIPTION:

INVOICE DATE: 11/28/03

DISTRIBUTION ACCT.	DEPT.	ID	TRANS ID	AMOUNT
780050	14			29945

EXTENSION CHECKED BY:

DOCUMENT APPROVED BY:



EL CENTRO LANDFILL 767-7905  
P.O. BOX 307  
ROBSTOWN, TEXAS 78380

200008 COMMERCIAL METALS  
P.O. BOX 9067  
CORPUS CHRISTI TX 78469

SITE	TICKET	GRID		WEIGHMASTER	
02	074544	CELL 11		SANDRA	
DATE IN	DATE OUT	TIME IN	TIME OUT	VEHICLE	ROLL OFF
01/23/03	01/23/03	15:04	15:20		
REFERENCE		ORIGIN			

Manual Gross Wt. 78460 LB  
Manual Tare Wt. 39080 LB  
Net Weight 39380 LB

Inbound - Charge ticket

QTY	UNIT	DESCRIPTION	RATE	EXTENSION	FEE	TOTAL
19.69	TON	C&D BY THE TON	13.75	270.74	24.61	295.35

Operating hours: 7AM-5PM MONDAY-FRIDAY 7AM-1PM SATURDAY  
This is to certify that this load does not contain any hazardous materials, medical waste or liquids of any type.

NET AMOUNT
295.35
TENDERED
CHANGE
CHECK NO.

SIGNATURE \_\_\_\_\_

833056

Commercial Metals of Corpus Christi  
1107 Highway 271, 78403  
Corpus Christi, Texas 78403

8:00PM 1-23-03 11:07PM 1-23-03

CUSTOMER'S NAME: *Commercial Metals*

ADDRESS: *1107 Highway 271*

COMMUNITY: *Robstown*

CARRIER: *1107 Highway 271*

2:30PM 1-23-03

77480 LB GR  
39320 LB TA  
38160 LB NT

LBS GROSS  
LBS TARE  
LBS NET

PER

\$

Vendor warrants that the above information is true and correct and that the material is as described and is not hazardous waste or other material prohibited by law.

VOUCHER ENTRY

Batch No. 79

VOUCHER NO.: 2081 NET AMOUNT: 295.35  
VENDOR NO.: 70133 INV. DUE DATE: TSU  
INVOICE NO.: 074544 DESCRIPTION:  
INVOICE DATE: 1/23/03

DISTRIBUTION ACCT.	DEPT.	ID	TRANS ID	AMOUNT
780010	14			295.35
EXTENSION CHECKED BY: <i>[Signature]</i>		DOCUMENT APPROVED BY: <i>[Signature]</i>		



EL CENTRO LANDFILL 767-7905  
P.O. BOX 307  
ROBSTOWN, TEXAS 78380

200008 COMMERCIAL METALS  
P.O. BOX 9067  
CORPUS CHRISTI TX 78469

SITE	TICKET	GRID		WEIGHMASTER	
02	074612	CELL 11		SANDRA	
DATE IN	DATE OUT	TIME IN	TIME OUT	VEHICLE	ROLL OFF
01/24/03	01/24/03	09:17	09:33		
REFERENCE			ORIGIN		

Manual Gross Wt. 74640 LB  
Manual Tare Wt. 39320 LB  
Net Weight 35320 LB

Inbound - Charge ticket

QTY	UNIT	DESCRIPTION	RATE	EXTENSION	FEE	TOTAL
17.66	TON	C&D BY THE TON	13.75	242.83	22.08	264.91

Operating hours: 7AM-5PM MONDAY-FRIDAY 7AM-1PM SATURDAY  
This is to certify that this load does not contain any hazardous materials, medical waste or liquids of any type.

NET AMOUNT
264.91
TENDERED
CHANGE
CHECK NO.

SIGNATURE \_\_\_\_\_

8331450

Commercial Metals of Corpus Christi  
P.O. Box 9067, Corpus Christi, Texas 78469  
767-7905

TRUCK #32 39600 LB IN  
8104AM 1-24-03

CUSTOMER'S NAME: *El Centro Landfill*  
ADDRESS: *Robstown, Texas*  
COMMODITY: *Commercial Metals*  
CARRIER: *1124/03*

8152AM 1-24-03  
74020 LB GSR  
39600 LB TA  
34420 LB NT

LBS GROSS  
LBS TARE  
LBS NET G

Net Amount: 264.91

VOUCHER NO. 2080  
VENDOR NO. 78133  
INVOICE NO. 074612  
INVOICE DATE: 1/24/03

Batch No. 79

NET AMOUNT 264.91  
INV. DUE DATE 1-30  
DESCRIPTION:

DISTRIBUTION ACCT.	DEPT.	ID	TRANS ID	AMOUNT
780050	14			264.91

EXTENSION CHECKED BY: *[Signature]* DOCUMENT APPROVED BY: *[Signature]*

VOUCHER ENTRY

VOUCHER NO. 2080  
VENDOR NO. 78133  
INVOICE NO. 074612  
INVOICE DATE: 1/24/03

Batch No. 79

NET AMOUNT 264.91  
INV. DUE DATE 1-30  
DESCRIPTION:

DISTRIBUTION ACCT.	DEPT.	ID	TRANS ID	AMOUNT
780050	14			264.91

EXTENSION CHECKED BY: *[Signature]* DOCUMENT APPROVED BY: *[Signature]*

EL CENTRO LANDFILL 767-7905  
P.O. BOX 307  
ROBSTOWN, TEXAS 78380

200008 COMMERCIAL METALS  
P.O. BOX 9067  
CORPUS CHRISTI TX 78469

SITE	TICKET	GRID	WEIGHMASTER	
02	074653	CELL 11	SANDRA	
DATE IN	DATE OUT	TIME IN	TIME OUT	VEHICLE
01/24/03	01/24/03	11:33	11:46	
REFERENCE		ORIGIN		

Manual Gross Wt. 77460 LB  
Manual Tare Wt. 39240 LB  
Net Weight 38220 LB

Inbound - Charge ticket

QTY	UNIT	DESCRIPTION	RATE	EXTENSION	FEE	TOTAL
19.11	TON	C&D BY THE TON	13.75	262.76	23.89	286.65

Operating hours: 7AM-5PM MONDAY-FRIDAY 7AM-1PM SATURDAY  
This is to certify that this load does not contain any hazardous materials, medical waste or liquids of any type.

NET AMOUNT
286.65
TENDERED
CHANGE
CHECK NO.

SIGNATURE \_\_\_\_\_

083316810 11:15 AM 7157AM

Commercial Metals of Corpus Christi  
P.O. Box 9067, Corpus Christi, Texas 78469-0067  
409-448-5111 FAX 409-448-5112

CUSTOMER'S NAME: *El Centro Landfill*  
ADDRESS: *El Centro*  
COMMODITY: *Gravel*  
CARRIER: *11103AM 1-24-03*

76520 1b GR  
35540 1b TA  
36980 1b NT

LBS. GROSS  
LBS. TARE  
LBS. NET

Signature: *[Signature]*

# VOUCHER ENTRY

Batch No. *79*

VOUCHER NO.: *2079*  
VENDOR NO.: *78133*  
INVOICE NO.: *074653*  
INVOICE DATE: *1/24/03*

NET AMOUNT: *286.65*  
INV. DUE DATE: *750*  
DESCRIPTION:

DISTRIBUTION ACCT.	DEPT.	ID	TRANS ID	AMOUNT
<i>780050</i>	<i>14</i>			<i>286.65</i>
EXTENSION CHECKED BY: <i>[Signature]</i>		DOCUMENT APPROVED BY: <i>[Signature]</i>		

## **Document No. 6**

Chain of custody form for samples collected at Commercial Metals Company, Corpus Christi, on  
3-24-03

PROJECT NO.	PROJECT NAME
0001	0001
0002	0002
0003	0003
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0100	0100

PROJ. NO. 08-13

PROJECT NAME: COMAFECTH MILITARY COMFORT

**SAMPLERS:**

Picture)

2005

Handwritten signature: *John A. ...*

REMARKS

[illegible]